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MEMOIR OF THE LIFE

OF

THE RIGHT HONOURABLE

CHARLES LORD SYDENHAM, G.C.B.

WITH A NARRATIVE OF

HIS ADMINISTRATION IN CANADA.

EDITED BY HIS BROTHER,

G. George POULETT SCROPE, ESQ. M. P.

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LONDON:
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TO

THE RIGHT HONOURABLE

LORD JOHN RUSSELL, M.P.

&c. &c. &c.

DEAR LORD JOHN RUSSELL,

I HAVE to thank you for allowing some portion of my late brother's private correspondence with you to appear in this volume, and I must also ask you to permit its dedication to yourself.

For his successful administration of the affairs of Canada, while you presided at the Colonial Office, he was mainly indebted, as he repeatedly declared, to the confidence which you reposed in him, and to your active and cordial co-operation. To you he looked up throughout his political career as a model and a guide. And I, at least, can never forget the touching tribute paid by him

to your exalted character, when, at a moment which puts all worldly considerations out of the question, he exerted the last energies of his failing voice deliberately and emphatically to pronounce you "the noblest man he had ever the good fortune to know."

I remain yours very sincerely,

G. Poulett Scrope.

13. Belgrave Square,
June 1. 1843.

PREFACE.

It was a wish expressed by Lord Sydenham, on his death-bed, after the close of the First Session of the Parliament of United Canada, that a Narrative of his Administration of the Government of that Province should be written by Mr. Murdoch, who, as Civil Secretary, had assisted him throughout its proceedings.

It appeared desirable that such a publication should be accompanied by a Memoir of Lord Sydenham's Life and Public Career previous to his undertaking the Government of Canada. This has consequently been drawn up by a near relative in possession of his Journals and Correspondence. These materials, however, date for the most part only from Lord Sydenham's accession to office in 1830; and, although very copious, it has been found impossible to introduce much matter from them in an original form without a breach of the restraints imposed, when dealing with such very

recent times, by a sense of what is due to the feelings of other parties, and the sacredness of private and confidential intercourse, although relating to public affairs.

These considerations have reduced the first portion of the work to a very imperfect biographical sketch, the deficiencies of which the Editor is fully aware of. The second portion, consisting of Mr. Murdoch's Narrative of Lord Sydenham's Canadian Administration, has, however, been illustrated by numerous selections from his private correspondence. And these, although necessarily for the most part but extracts, will be found, probably, not the least valuable part of the volume, as exhibiting the confidential views on subjects of great importance, of a statesman, the accuracy of whose judgment was so clearly proved by the success which followed every thing he undertook.

The Editor trusts not to have been misled by feelings of partial affection in believing that the biography of one who exercised no inconsiderable influence over the public history of this country during the important period between 1825 and 1842 cannot fail to be generally instructive and interesting.

The public life of Lord Sydenham, indeed, offers a rare, perhaps an unexampled, instance of the rapid attainment of eminent station by the force of personal qualifications alone. Without any peculiar advantages of birth, rank, fortune, or connexion, by the unaided exertions of his talents, industry, and tact, he had, before the age of forty, sat for fifteen years in Parliament—ten of them as the spontaneously selected representative of the great manufacturing capital of the country, Manchester—had been minister of state ten years, in the Cabinet five, and occupied the station of Governor-General of all the British North American Colonies; being rewarded for his brilliant administration of this high office by a Peerage and the order of the Bath.

Such a career cannot but be well worthy of study, whether by those who themselves are struggling forward in the pursuit of fame, wealth, and honour, or those who are contented to contemplate as by-standers the busy drama in which the million are toiling for these objects. Still more worthy of close study is such a life, if it can be shown, as in this instance it unquestionably can, that the mainspring of exertions thus arduous and successful was neither barren ambition, nor the vain lust of

popular reputation, but a sincere desire to obtain the means of wide-spread usefulness — the anxious wish of a benevolent mind to employ all its faculties to advance the welfare of the great masses of mankind whose destinies are influenced by the government and legislature of Britain.

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PART I.

LIFE OF LORD SYDENHAM.

LIFE

OF

LORD SYDENHAM.

CHARLES EDWARD POULETT THOMSON was the third son and youngest child of John Poulett Thomson, Esquire, of Waverley Abbey and Roehampton in Surrey, the head of the old and respected mercantile firm of J. Thomson, T. Bonar, & Co., which had been for several generations engaged in the Russian trade, and possessed an establishment as well in St. Petersburgh as in London. Mr. John Thomson assumed the name of Poulett by sign manual in 1820, in remembrance of his mother, who was heiress of that branch of the ancient family of Poulett, which had for some centuries been fixed at Goathurst in Somersetshire. He married in 1781 Charlotte, the daughter of Dr. Jacob of Salisbury, by whom he had a family of nine children. Charles, the youngest of this number, was born at Waverley on the 13th September, 1799, and his mother's health being at that time much enfeebled, he may be supposed to have derived from

1799.

1804. this circumstance the constitutional weakness which in after life occasioned the continued and harassing infirmities to which he was subject, and which, aggravated by the incessant fatigues, both bodily and mental, of parliamentary and official business, wore out his frame, and prematurely shortened his valuable life.

In his infancy he was remarkable for the perfection of childish grace and beauty, yet attested by the pencil of Sir Thomas Lawrence; and hence, during the sojourn of the younger part of the family at Weymouth in the summer of 1803, he attracted the attention and became the especial favourite of the good old king, George III., then residing there for the benefit of his marine excursions, and whose partiality to children is well known. His elder brother yet remembers the terror inspired when at their first meeting with the sovereign on the Parade, General Garth was dispatched to bring the children to the presence, and they were subjected to a rapid interrogatory from the impatient monarch as to their names, birth, and parentage. After this the King became so partial to Charles, the youngest, then not quite four years old, that he insisted on a daily visit from him, often watched at the window for his arrival, ran down himself to open the door to let him in, and carried him about in his arms to show all that could amuse the child, in the very ordinary lodging-house then occupied by the royal party, and especially the suppers laid out for the children's

1804. balls, which their majesties frequently gave for the amusement of their young favourites. On one occasion, the King being on the pier-head, about to embark in the royal yacht upon one of his sailing trips, and having the child in his arms, he turned round to Mr. Pitt, who was in attendance at his elbow, having probably hurried down from London for an audience on important business, and exclaimed, "Is not this a fine boy, Pitt? Fine boy, isn't he? Take him in your arms, Pitt; take him in your arms: charming child, isn't he?" Then suiting the action to the word, he made the stiff and solemn premier, weighed down as he seemed to be with cares of state, dandle and kiss the pretty boy, and carry him some minutes in his arms, albeit strange and unused to such a burden. The circumstance, though trivial, had so comical an effect, from the awkwardness and apparent reluctance with which the formal minister performed his compelled part of nurse, as to make an impression on the writer, who stood by, though but seven years old himself, which time has never effaced. Pitt, although no doubt fretted by his master's childish fancy, which exposed him to the ill-suppressed titter of the circle around, including several of the younger branches of the royal family, to whom the scene afforded great amusement, put the best countenance he could on the matter, but little thought, no doubt, that the infant he was required to nurse would, at no very distant time, have the offer of the same high official post

1804. which he then occupied, the chancellorship of the exchequer, and would be quoted as, perhaps, *next to himself*, the most remarkable instance in modern times of the early attainment of great public eminence by the force of talent alone; equally purchased, alas! by premature extinction, at the zenith of a brilliant career.

As the youngest and prettiest child of the family, Charles was naturally the spoilt pet of all. This would not be worthy of mention, but that it seems not impossible the same course of partial treatment, which usually, no doubt, produces a self-willed and selfish character, may, when acting upon a disposition naturally generous and full of sympathies, have failed in producing its usual bad effects, while the habit thus early permitted in the child, of considering his will to be law with all around, may have had some influence in giving to the man that self-confidence and decision, and that unconquerable determination to excel, which, in after life, became a prominent feature of his character, and exercised no slight influence towards the attainment of the success which so generally attended his exertions.

At the age of seven Charles Thomson was sent to the preparatory school of the Rev. Mr. Hannington at Hanwell, whither his elder brother, George, had preceded him; and after three years' residence there, was removed to the Rev. Mr. Woolley's at Middleton, near Tamworth, and afterwards to the Rev. Mr. Church's at Hampton, both professing to be private tutors, taking two or three pupils at

most at a time. With the latter he remained up 1807.
to the summer of the year 1815, when, at the age of sixteen, with the view to his establishment in his father's house of business, then under the chief direction of his eldest brother, Mr. Andrew Thomson, he took his departure from England for St. Petersburgh, where one branch of the firm had been for upwards of a century settled, and there he remained for more than two years.

It is thus remarkable that his education was in no degree completed at any public school, college, or university, but confined to a small private school, or a tutor. As bearing upon the disputed question respecting the advantages of academical education, this circumstance is worth noting. The peculiar qualifications which such an education is generally supposed to have a tendency to confer, namely, the spirit of emulation, the habit of pushing your way through a herd of jostling competitors, self-knowledge, and a just estimation of your own faculties, amenity in social intercourse, and a pleasing popular manner, the *savoir vivre*, in short, of society, are precisely those qualities for the possession of which Mr. C. Thomson was very peculiarly distinguished. And yet he was not only not educated, as has been said, at either a public school or university, but the possession of some at least of these qualities may undoubtedly, in a great degree, be traced to that very fact, and to his consequently being cast upon the busy world itself, rather than its supposed miniature resemblance,

1815. dependent only on his own resources, at a time of life at which young men, academically educated, are usually in a state of pupilage, watched by preceptors, associating only with youths of their own age, and kept under the control of a strict scholastic discipline.

At the early age of sixteen Charles Thomson was initiated into life in St. Petersburgh, and, while not neglecting the business he was there to learn, he yet eagerly entered into the amusements of society, to which his connexions and position gave him access, and in which his personal recommendations soon rendered him a special favourite with those of the Russian nobility and diplomatic corps then resident at St. Petersburgh, who had the good taste to open their doors to the English. It was no doubt in these circles, and especially in the close intimacy which he was permitted at this period to enjoy with several polished and highly cultivated individuals then residing at St. Petersburgh, such as Count Woronzoff, Count and Countess Sabloukoff, (very old friends of his family,) Princess Galitzin, &c., that he began to acquire that peculiar charm of manner, and polished tone of society, which distinguished him through life, and was no mean aid to advancement in his political career.

He enjoyed, moreover, the advantage of a very close and valuable correspondence with an affectionate and intelligent mother, whose watchfulness over the physical, moral, and intellectual culture of

her children seemed to increase in anxiety and at- 1817.
tention, the farther they were removed from her immediate care. With his former tutors, likewise, Mr. Woolley and Mr. Church, he kept up for some years an affectionate, and to him most salutary, intercourse, receiving from them advice as to the course of his studies, and, in return, communicating to them the progress he was making in the acquisition of knowledge.

In the autumn of 1817, after an illness of considerable duration, which caused much anxiety among his friends, it was thought desirable that he should spend the coming winter in a milder climate than St. Petersburgh, and he accordingly returned by sea to England, which he reached in the beginning of October, his health being much improved by the voyage.

On his arrival he found his mother and two youngest sisters, then unmarried, on the point of setting off for the Continent, and it was determined that he should accompany them. This he did, and the winter was spent by the party at Nice.

The greater part of the next year was passed in a tour through the north of Italy and Switzerland; but in the course of the summer a separation took place, the ladies proceeding northwards to Switzerland, while Charles, for the benefit of his eyes, which were at that time very weak, was left at the baths of Valdagno and Recoara in the Vicentine. Here he lived two or three months in close intimacy with the amiable and accomplished para-

1817. phraser of Casti, the late Mr. William Rose, and no doubt profited by the society of one so cultivated and refined. At the close of the summer he rejoined his mother, and the family party, increased by the arrival of his elder brother George from England, returned to the south, and passed the winter at Naples. In the summer of the next year the two brothers travelled to England together, by a circuitous route, through the south and west of France, visiting the Pyrenees and the Loire. And his health being now re-established, Charles Thomson once more took his seat in the counting-house, and passed the winter in the ordinary occupations of mercantile business.

After so long a holiday, spent in the amusement and excitement of foreign travel, it was quite natural that the young man should feel the confinement and dull routine of a London counting-house extremely irksome; and his letters at this period contain many complaints of the kind. His anxious desire, indeed, both then and for some time after, was to exchange the occupation he had so far engaged in for that of diplomacy, for which both his natural and acquired qualifications, as well as the habits of foreign travel, and the society in which he had for some time moved, peculiarly fitted him. He had a remarkable knowledge of many languages, speaking French, German, Russ, and Italian, almost like a native; and his manner and address were courtly, refined, and fascinating. At his earnest solicitation endeavours were made by his

friends with a view to obtain employment for him in some foreign embassy, fortunately without success. It was not long before he had reason to congratulate himself on the failure, and to discover that in an age and country of so practical a character as this, the knowledge of facts and habits of business to be acquired in commercial pursuits, by a mind endowed with faculties of a high order, are far more likely to lead to station and power than any familiarity with foreign courts or diplomatic intrigue. Had his wishes been fulfilled, and his career consequently changed, he might, and probably would have grown grey in the pleasant but somewhat idle occupation of a *chargé d'affaires* at some petty foreign court, without ever attaining one-tenth part of the reputation or power, to which his mercantile education and information, gathered in the busy marts of British industry, speedily elevated him. 1821.

Whether, as yet, any aspirations of this character had crossed his thoughts or not, the young merchant, at all events, continued from this time to apply himself unremittingly to the study of his business, which his natural quickness of comprehension and tact very soon enabled him to master. And after a probation of a year and a half passed in London, he was once more sent out to St. Petersburgh in the spring of 1821, entrusted with a share in the conduct, and of course in the profits, of the business.

The journey was performed leisurely by the

1823. route of Cuxhaven, Berlin, and Riga, and his journals bear witness to the powers of observation and judgment already exercised by him on the countries through which he travelled, and especially on their commercial resources. On the 4th of May he reached St. Petersburgh.

Here he remained for nearly two years, making the most of his time and the opportunities afforded by his admission to the best society of that capital, in which he was a general favourite, and especially among the diplomatic body. Nor did he neglect the study of books, and his anxiety to store up knowledge appears from entries in his journal of this period, in which he occasionally records as a "lost day," one in which he had been able to add nothing to his previous acquirements.

In the winter of 1822 and spring of 1823, he took a journey to Moscow, and thence through the centre of Russia by Kieff and Orel, making a tour of visits to the country-houses of several of the Russian nobility. And on the 1st of August of the latter year he quitted Petersburgh for the last time, on a journey through the eastern and southern provinces of Russia, especially with the view of being present at the great fair of Nishni-Novogorod, which takes place early in that month, and is the principal mart for exchange of the products of Europe and Asia.

From Nishni he embarked on the Wolga for Astrachan, and descended the whole course of that enormous river, stopping at times to visit several

of the Tartar tribes upon the route, as well as the 1824.
Catholic and Protestant colonies on the banks of the Wolga. After a short stay at Astrachan, he returned northwards as far as Tzaritzin, and thence travelled through the Steppes of the Don by Tcherkask, Taganrog, Ehaterinodar, the Caucasus, and the Crimæa, reaching Odessa about the middle of November; from thence he travelled by the route of Brody and Cracow to Vienna, where he spent the remainder of the winter of 1823–4.

The journals kept during this period evince a very remarkable spirit of inquiry and desire of information for so young a traveller. They are full of acute and accurate remarks on the manners, habits, and character of the inhabitants of these countries, as well as their resources, economical and commercial.

The spring of 1824 was passed in the fascinating society of Vienna, and indeed it was with some difficulty that the remonstrances of his friends drew him from thence. He left it at the end of April, and reached Paris, where his mother was then confined by illness, only just in time to receive the last blessing of that most affectionate and devoted parent, whose decease took place on the 18th of May. After the funeral, Mr. C. Thomson returned to London, where he thenceforward permanently fixed himself, taking his share in the business of the counting-house, and occasionally conducting it wholly himself, in the absence of his elder brother and partner, Andrew.

1825. The next year was one of an eventful and exciting character, and, when all the circumstances of that extraordinary epoch are considered, it will not appear surprising that a young merchant, naturally of a sanguine disposition, then almost for the first time taking his place as a member of one of the most respected commercial firms in London, possessed of a secular reputation, and of almost unlimited credit, should have been exposed to much solicitation from those who were blowing and seeking to set afloat the bubbles of that day, and should have been led to indulge somewhat in the brilliant dreams of a rapid creation of wealth by combined associations, which at that period of universal excitement carried away thousands of older and far more experienced heads.

Accordingly, into some of the American mining speculations set on foot in the spring of 1825, Mr. C. Thomson entered with the energy which was devoted to whatever he undertook. He took an active part in the direction of one or two of these schemes; and being a *bonâ fide* believer in their promised advantages, he, of course, like many others, suffered by the bursting of the bubbles on the arrival of "the Panic."

His elder brother had throughout remonstrated against any participation in such adventures; and it was probably owing to his prudent advice that they were not embarked in to a seriously inconvenient extent. As it was, the loss sustained was sufficient to read him a lesson of caution, from

1825. which there can be no doubt that he derived much benefit in after life.

But the year 1825 was not remarkable only for the general speculative mania. It constitutes moreover something like an era in the history of the commercial policy of the nation. In the course of the two or three preceding sessions, the attention of Parliament had begun to be directed by Mr. Huskisson to the faulty character of that system of protective duties which had for many years been acted on for the supposed benefit of colonial and domestic producers; the navigation laws had been already relaxed; and in this year, 1825, the same statesman, as President of the Board of Trade, carried through a general revisal and simplification of the Revenue Laws, or Tariff. Commercial questions were thus assuming a prominence in the debates of Parliament which might well suggest to a merchant entertaining enlarged views on these subjects, and conscious of the possession of an amount of knowledge and information which might be usefully brought to bear upon their discussion, the desire to take part in these debates. It was not difficult to perceive that the time was favourable for men of practical experience in commercial affairs, not only to obtain a hearing, but even to exercise considerable influence in the deliberations of the House of Commons.

Mr. C. Thomson moreover entertained strong opinions of a liberal character on the more ordinary political questions of the age. These principles

1825.

were entirely self-formed. Those of his family, of his father certainly, were rather of the opposite complexion. But whether acquired by reflection during his residence among the despotic, and consequently stagnating states of the continent, or from his course of reading, or from the general bent of his mind, or, as seems most probable, from all these influences combined, certain it is that his political principles were from the first of a very liberal character, and led him to cultivate the society of those who entertained similar views on questions of public interest. He thus became acquainted about this time, among others, with Dr. Bowring, Mr. Mill, Mr. Warburton, and Mr. Hume, and was occasionally admitted to the hermitage of the eccentric and amiable Bentham. He likewise studied the science of Political Economy with Mr. M'Culloch, and frequented the Political Economy Club then lately instituted.

Taking thus a lively interest in the political questions of the day, and more especially in those relative to commercial matters, it was natural that he should listen with favour to proposals which were made to him in the summer of 1825 from parties connected with the liberal interest in the borough of Dover, to become a candidate for its representation at the next election; and with this view he made several visits to Dover in the course of the winter for the purpose of canvassing, having issued an address to the electors on the 15th of September.

1825.

In the pursuit of this object he was warmly aided by his friends of the Utilitarian school. Dr. Bowring, who indeed had been the medium of his original introduction to the electors of Dover, accompanied him there and assisted in his canvass. And Bentham himself had taken so great a liking for him, that he broke through all the habits of his hermit-like existence, actually took up his residence at Dover, canvassed daily for him, opened his house, and allowed himself to be accessible to all Mr. Thomson's friends, and mingled in the contest in a manner which surprised all who knew his retiring disposition, but which strongly marked the interest he took in his young friend's prospects.

In aiming at a seat in Parliament, however, Mr. Charles Thomson was unsupported by the assistance, or even by the countenance and advice, of his family. His father and eldest brother remonstrated against the undertaking, as tending to withdraw his attention from the city business, to which it was desirable that he should devote himself. Neither, it is clear, had at this time the least idea of the powers possessed by him, and before long to be brought into active exertion—powers which, applied in the career of public life, enabled him subsequently not merely to reflect lustre on his connexions and on the mercantile class to which he belonged, but materially to benefit the general interests of British commerce, and advance the welfare and prosperity of his country.

He himself was evidently gifted with a juster

1826. appreciation of his capacities. And here that happy self-confidence which has already been mentioned as one of the main elements of his success, was eminently useful in fortifying his resolutions in favour of a public life against the remonstrances and dissuasions of some of his nearest connexions.

That they were in some degree justified in these remonstrances, however, must be conceded; the pecuniary risks, and even the necessary expences, of the contest into which, so early in life, he was plunging, being considerable, and this immediately following his losses of the year before in the American mining speculations. The remonstrances of his brother Andrew at times reached a very high tone, threatening even a dissolution of partnership. But pledges had been given to parties in Dover, which were not to be lightly broken: hopes were held out of certain and easy success, of its being unnecessary to bring up outvoters, the chief source of expense, and the negotiations and the canvass still more or less continued, though protracted by the delay of the dissolution of parliament, which had been expected in the summer of 1825, but did not take place until May 1826.

The election, as might have been anticipated by all who really knew the character of the borough at that time, was severely contested. It lasted ten days; it was necessary to bring down every outvoter, and though won by Mr. Thomson by a considerable majority over Mr. Halcomb, the unsuccessful candidate, his expenses amounted to at

least 3000*l.*: and in a few days it was clear that he would also have to defend his seat before a committee of the house against a petition. He had, however, succeeded in opening for himself the door of the senate; he had obtained a footing at least on the arena which he was most anxious to tread, and for which he justly considered himself adapted; and no doubt little regretted the sacrifices it had cost. He took his seat on the 18th of November 1826, Parliament being summoned at that unusual season for the purpose of passing the Indemnity Bill. 1827.

Almost his first vote in the House of Commons showed the decided line he had already taken as an advocate of the freedom of trade and removal of unwise protecting duties. He divided on the 16th of March 1827, in the small minority of sixteen in favour of Mr. Hume's motion on the corn law, which embodied, in fact, the principle of free trade in that staple commodity under a moderate fixed duty, — the very principle which at length has obtained the adhesion of the entire liberal party, but has not yet been adopted by the legislature, though little likely to be much longer refused.

During the early part of this, as in the short preceding session, Mr. Thomson remained an attentive listener to the debates; but wisely took little part in them, contenting himself with studying the character of the assembly in which he had a seat, and forming his judgment as to the mode best adapted for acquiring an influence in its deliberations.

He spoke, however, very briefly on one or two

1827. occasions, when an opportunity offered itself for bringing to bear upon the question before the house information of a practical character, with which his mercantile station had made him acquainted. Thus, in the debate on the corn law, on the 6th of April, he spoke against a clause introduced by Mr. C. Grant into the Corn Bill then under discussion, having for its object to enable the King in council to impose retaliatory duties on corn, the produce of such countries as imposed high duties on our manufactures. Mr. Thomson urged the mischievous effect on our trade with some countries, such as Russia, which would result from the operation of this clause; and his arguments, being drawn from a practical acquaintance with the subject, obtained considerable attention in the house.

The first occasion on which Mr. Thomson delivered his sentiments at any length or with apparent preparation, was in the debate raised by General Gascoigne on the state of the shipping interest, on the 7th of May. This discussion had been adjourned over the Easter recess on account of Mr. Huskisson's ill health; and the same circumstance might readily suggest to Mr. Thomson the desire to bring all the assistance in his power to the minister, of whose policy upon this and other economical questions he so thoroughly approved.

His speech, which was replete with facts, throwing a strong and convincing light upon the subject, was ably delivered, and received with very general approbation from both sides of the house, as one of

1827. a most promising nature. Mr. Huskisson, in his own speech at a later period of the debate, alluded to it in the following terms:—

"The debate has afforded to the honourable member for Dover an opportunity of manifesting an extraordinary degree of acuteness and knowledge in respect to the commerce and navigation of the country, and of stating his information in a manner which must, I am sure, have made the most favourable impression on the house."

On the 14th of June, Mr. Thomson made a few observations in favour of the vote by ballot in parliamentary elections, a proposal which he afterwards took many opportunities of supporting, and which was on this occasion, for the first time, suggested to the house.

In the ensuing session he pursued the same prudent course of but rarely obtruding himself on the notice of the house. He spoke once or twice in favour of reductions in the navy and army estimates; and, in the discussion of the Passengers' Regulation Act, supported the views advocated by Messrs. Hume and Warburton. A letter to his brother written at this period may show the opinion he had been led to form on the reserve necessary for obtaining parliamentary success, and the modest anticipations entertained by him of his future prospects.

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"London, February 28th, 1828.

"My dear ———,

"Thanks for your congratulations on what you are pleased to call my success in parliament. I wish it were greater, but still, if I am permitted to proceed, I trust I may improve upon it. To the justice of every one of your maxims I entirely subscribe. The speech which I made last year, which gained me what little credit I have, is the best illustration of the principal one. A man who tells the house *facts* with which the majority are unacquainted, is sure to be listened to, and a reputation for doing so will procure him attention upon other points on which he, perhaps, does not deserve it. But a parliamentary reputation is like a woman's. It must be exposed as little as possible. And I am so sensible of this, that I would willingly abstain from opening my mouth more than once or twice in a session. I have latterly been obliged to infringe this rule more than I wish, but it has only been in committees, which are parliamentarily *sans conséquence*. I hope to have one or two occasions for a splash, but I shall not go out of my way for them. This, to be sure, is all sad manœuvring. But still, it is a *means* to being useful hereafter and therefore must be submitted to.

"I rejoice at the tone of your letter. It would be absurd in me, who have taken so different a course, to sing the '*Beatus ille*;' but now and then it occurs to me that some ten or fifteen years hence, when I am broken in health, in constitution,

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and in spirits, and disappointed in both fortune and ambition, which must happen, I am aware, for who has not been?—I shall envy your position, and regret the useless waste of time, health, and money of the present day. But '*che sarà, sarà.*'

"We had a *triumph*, in which I was an unit, on Tuesday. The greater, that it was wholly unexpected, for ministers had made such exertions to bring up all their troops, that a defeat of Lord John Russell's motion* was considered certain. Peel's opposition was intelligible, at least the motive (for the reasons he gave were certainly not so); but some who avow themselves friends of religious liberty, were pitiful in their conduct. It will be delightful to see men who act so disgracefully reap the just reward of their bad deeds, for the dissenters will be in arms against them, and pay them off at the next election. God forbid we should have one just now; but things look ominous. The King has, certainly, been very bad for some time, and those about him begin to allow that he is not immortal. *God save him!* for a general election would be a very ugly thing."

On the 20th of May he introduced a bill for the repeal of the Usury Laws, in a speech of great ability, which made a strong impression upon the house, and the government expressing itself favourable to the principle of the measure, leave was

* For the repeal of the Test and Corporation Acts.

1828. given to bring in the bill. When, however, the second reading came on, it was found that the country gentlemen, who had always opposed any change in the Usury Laws, under the idea that they kept down the rate of interest on mortgages, evinced so strong a disposition to throw out the bill, that the Chancellor of the Exchequer advised its withdrawal for that session, which was done.

On the 18th of June, Mr. Thomson spoke and voted in a minority of twenty-four against a bill for limiting the circulation of Scotch and Irish bank notes; and on the next day he defended Mr. Huskisson's measures for the improvement of the Navigation Laws, against the attacks of Mr. Robinson and General Gascoigne, and alluded, in terms of indignation, to the scurrilous and malignant treatment with which that wise statesman had been assailed by portions of the press and hired organs of the shipping interest.

On the 16th of July he divided the house on the question of reducing the duties on Indian silk goods to a minimum of 30 per cent.; and on the 11th and 17th of the same month, he spoke against the retention of a nominal sinking fund.

His votes throughout this session were given, of course, in support of the great principles of civil and religious liberty which he professed to advocate. His name appears in the majority of the 26th of February, in favour of Lord John Russell's motion for the repeal of the Test and Corporation Acts, by which that great step towards the triumph of those

principles was virtually gained; in the scarcely less famous minority of the 21st of March in favour of the disfranchisement of East Retford; in the minority of twenty-seven, on the 27th of April, for Mr. Hume's amendment of the Corn Laws; and in the majority of the 12th of May, on Sir Francis Burdett's motion in favour of the Roman Catholic claims. 1829.

On the 14th of April of the next year, 1829, in the adjourned debate upon Mr. Tyler's motion for a committee on the silk trade, Mr. Thomson delivered a speech of extraordinary power and ability, which, for its effect upon the house, has been rarely equalled, certainly not by any speech made upon a topic of so dry and practical a question of economical policy. On its conclusion the speaker was cheered from every quarter, and several members even crossed the house to congratulate him on the success he had gained. On this occasion Mr. Thomson had the disadvantage of speaking after Mr. Huskisson, and had, of course, been forestalled by him in the statement of the most material facts bearing upon the subject. Notwithstanding this, he brought to the discussion such an amount of information, of a novel and interesting character, relative to the details of the manufacture, the circumstances affecting it, and its actual and comparative condition,—his treatment of the question was so luminous, and he threw so withering a ridicule on those general declaimers against free trade and "cold-hearted philosophy," who, declaring an abhorrence of all

1829. theories, themselves theorised extravagantly, but with a total ignorance of and disregard to *facts*,—as not only to amuse the house with a dry subject, but to carry conviction to the minds of all who heard him without undue bias, and to produce an effect on the country most favourable to the general recognition of the wisdom of Mr. Huskisson's commercial policy.*

The latter part of this speech is well worth reproducing at the present period; for the general arguments in favour of commercial freedom have

* "Mr. Huskisson had sagacity to perceive the cause of the inferiority of the British to the French and German silk manufactures, and courage to undertake the introduction of a new system. This was accomplished in 1825, by reducing the duties on raw silk to a nearly nominal amount, and materially diminishing those on thrown or organzined silk; while at the same time the prohibition against the importation of foreign silks was repealed, and they were allowed to be entered in unlimited quantities for home consumption, on paying an import duty of 30 per cent. *ad valorem*. This change of system was violently opposed, and many predicted that it would occasion the ruin of the manufacture. But these sinister auguries have proved to be wholly fallacious. The measure, in fact, has been signally successful. The manufacturers, finding they could no longer depend on the wretched resource of custom-house regulations, put forth all their energies; and having called the various resources of science and ingenuity to their aid, the manufacture has been more improved and extended during the dozen years ending with 1837, than it had been during the previous century. The imports of the raw material, and the exports of the manufactured article have rapidly increased. At present (1838) the entire value of the manufacture is supposed to exceed the immense sum of 10,000,000*l*., and we export a considerable amount of silk goods, even to France herself."—*M'Culloch's edition of Smith's Wealth of Nations*, p. 201.

seldom, if ever, been summed up in more eloquent or convincing phrases. 1829.

"Sir, I have thus endeavoured, though, I fear, at much too great a length, to apply myself to the statements which have been made; I have endeavoured to show the absurdity of attributing the present distress to the operation of the law of 1826; I have endeavoured to point out the real causes of it. I have tried to prove the necessity of a reduction of duty on the manufactured goods, to enable the fair trader to compete with the smuggler;—on thrown silk, to enable the British weaver to compete with the French; and I trust that I have clearly shown, that these measures will be attended with no injury to the throwster. I should not trespass for another moment on the patience of the House, but for the very extraordinary assertions which the Honourable Member for Worcester has been pleased to make, on what he calls free trade. The Honourable Gentleman is not content with having so clearly demonstrated all the evils which have arisen to the unfortunate silk trade from this little deviation from prohibition; he is not satisfied with having so admirably illustrated his own love of exclusion, by showing, that under the influence of the unhappy law of 1826, we have raised the consumption of raw silk in this country from 2,000,000 up to 4,000,000 lbs.; he is not satisfied with proving that our weavers have nearly doubled in number, that our throwing-mills are half as many again; that, in addition to all this, we have imported, as he says, manufactured silks to the amount of 1,500,000*l*., all which must have been paid for in the produce of British industry, and the employment of British capital; he is not satisfied with all these evils in the silk-trade, but the Honourable Gentleman passes an indiscriminate censure,—he vents all his wrath,—he pours out the phials of his indignation—on what he is pleased to call free trade. I really should feel obliged to the Honourable Gentlemen to tell me where he finds free

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trade in this country? Alas! I search in vain through your Custom-House laws, and I can find no solitary instance of any article which is either produced or manufactured in this country, on which a very heavy duty is not exacted:—free trade, indeed! why it is ludicrous to talk of it; and on the occasion too, when we are actually debating whether the duty on the article which forms the subject of to-night's discussion shall be 35 or 25 per cent!

"I wish that the Honourable Gentleman were more correct; I wish, with all my heart, that we were nearer that monstrous consummation of free trade which he so much dreads; but though I fear we are still far, far from it, I will grant the Honourable Gentleman that we have made a nearer approach to it; and I contend, in answer to all his assertions, that in doing so we have conferred an essential benefit, and an incontrovertible one, upon the country. The proof of it lies upon your own table, and there too lies the contradiction to the ruin so much talked of by the Honourable Member for Callington. I know of no standard by which the increase or diminution of the wealth of any country can be estimated, except its power of consumption. If we find this increasing, its wealth must be also on the increase. If we find it diminishing, its prosperity may be said to be on the wane. If, then, the position of the Honourable Gentleman be correct, if, since the adoption of these horrible measures by the legislature, the wealth of this country has fallen away, the effect must be clearly marked by the diminished power of all classes to consume. This is the test which I shall apply, and by it I wish the House to judge between the Honourable Gentleman and myself. I have selected, to form this standard, the returns of the principal articles which enter into the greatest degree of consumption of all classes in this country. I have taken them for the period of five years. If any of the regulations of the Custom-House have made a nearer approach to free trade, it is since the year 1825 that they have done so. I take, therefore, the two years

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previous, and the two years succeeding that year, and that year being a year of extreme speculation is taken out of the way.

"And let me intreat the House to look at the result. Has there been any symptom of the diminished power of consumption which must have been the effect of waning prosperity? Has there been no increase indicating a contrary effect? Why, not in one, but in every one of these articles there has been the most rapid, the most extraordinary increase!—in sugar of 7 per cent., and this is worthy of remark, because the duty being the highest, the increase has been the least;—in coffee of 90 per cent. —in cotton of 34 per cent.—in flax of 65 per cent.—in tallow of 60 per cent. Here is ruin indeed! These are the mischiefs of the free trade system, introduced by modern theorists and philosophers—these are the disastrous and lamentable consequences of the measures of those men on the state of the productive industry of the country!

"There yet remains, however, one more argument which has been urged by some of the opponents of free trade. They are the most dangerous, because they are the most moderate, and the most specious;—because, whilst they grant the truth of the general principle in words, they depart from it in spirit;—because their argument is at once the most popular, the most apparently sensible, and yet the most fallacious,—I mean the argument of the absence of reciprocity, brought forward by the Member for Kirkcudbright. 'We are friends,' say they, 'to free trade,—we grant all the benefit which you tell us will arise from an unrestricted interchange of commodities between different nations,—we agree to all your reasoning; but in order that there should be a free interchange, it is necessary that the removal of our restrictive regulations should be met by corresponding measures on the part of other nations. If this be not the case, we are giving away the advantage which we possess of supplying at least ourselves with our own productions,—we throw

1829. open our ports to receive the produce of the industry of foreign countries, whilst they shut their gates to ours; and we destroy our national industry in those articles, in the production of which foreigners excel us, without their becoming, in their turn, customers for ours.' The fallacy of such reasoning lies in this — these gentlemen misunderstand the nature of trade. In order to buy, we must also sell. We may open our ports to the silks and wines of France, to the corn of Germany and Russia, to the drugs of Asia and of India, but we can get no pound's worth of any commodity without giving in return a pound's worth of our own productions. Our manufacturers will give away nothing; they will not send their goods to foreign ports without getting an equivalent in return; and I will venture to say that the producers of foreign commodities, of French silks, and German cloths, with which, according to the statement of these gentlemen, this country has been and will be overwhelmed, are as little likely to make a present to the British consumer of their hardly-worked produce without taking in return the staple articles of British produce. Foreign nations may, as we have seen, and as we are told, be inclined to meet our liberal policy by tightening still more their restrictive system. The effect can only be the prevention of their own export trade, the curtailment of their own commerce, and the suffering of their own people. If by some magic wand the nations of the continent could suddenly surround their dominions with the wall of brass fabled by Bishop Berkeley, — if they could effectually exclude every article of British produce, whilst their ports opened to permit the free egress of all their own, — not a vessel of theirs could find its way to our shores; or, if it did, its cargo must be made a present of to our people. They would deprive their own subjects of the benefit of mutual interchange, — they would deprive us likewise of it, but they could do no more: — they would impoverish and ruin their own country; — they would injure us in a less degree; — they

would reduce us to what I consider an unhappy condition, 1829.
but which the Honourable Member for Coventry, and those who think with him, have described as a happy and a prosperous state, — the necessity of producing within ourselves all that we stand in need of. But, thank God! it is not in the power of governments to carry into effect so desolating, — so pernicious a principle. There is, in economical, as in political affairs, a point beyond which it is not possible to go, — a point at which legislation becomes ineffectual, and power powerless. Governments may enact laws, but mankind will successfully resist them. Thus it it is with these attempts. The smuggler becomes in such a case the corrector of faulty legislation, and the friend and the defender of mankind. Under his exertions the Acts of the Legislature become void, and the laws of your ports and your custom-houses are dead letters. Do we want the experience of mankind to illustrate the truth of this great principle? You have it within your own times. The man whose power was never surpassed in modern, and scarcely equalled in ancient times, — he whose career of victory the bounds of Europe could scarce restrain, — whose word was a law, — in vain attempted to counteract this great principle. Buonaparte, when, at the height of his power, he fulminated his decrees from the palace of the Duomo of Milan, which was to annihilate his only rival, thought but little that his orders could be contested, or his will disputed. And yet, what was the result? He, whose armies successively occupied every capital of Europe, — who made and unmade Kings with a breath, — was set at nought by the lowest of his subjects. The smuggler bearded him in the streets of his capital, and set his power at defiance in his own ports and cities. The goods, which he refused to admit, found their way through the Frozen Ocean into the heart of France. I speak from personal knowledge when I say, that an uninterrupted line of communication was established between Archangel and Paris; and goods, even the bulky articles

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of sugar, coffee, and manufactures, were conveyed with as much ease and safety, though at a proportionally increased cost, as from London to Havre. Insurances were then as currently effected at Brody and at Leipsic as at Lloyd's or at New York.

" But need we go further than the very trade before us for an illustration of what I say? Do Gentlemen, who make no difficulty respecting the importation of raw silk (whatever they may think of thrown), know that most of the States of Italy rigidly exclude all our manufactures from their ports; and yet we take from them annually the value of 2,000,000*l.* sterling? How do we pay for it then? Their custom-houses are shut to our produce, and the objects of our industry are as strictly prohibited as the works of Voltaire or of Gibbon. I have had the curiosity to endeavour to trace this, and what will the House think of the result? Upon a careful examination of the bills which are drawn from Italy in payment of this silk, by several houses in the trade, I find at least three-fourths of them remittances from Austria and the German States, which have been made to Manchester and Glasgow for British manufacture. It is hopeless, then, for any nation to attempt to exclude the productions of another. They may injure their own subjects by enhancing the price, but exclude they cannot. But the advantage to a country in first adopting the principle of freedom of trade is not merely relative, but positive. Under a system of restriction with us, other nations may make and uphold corresponding restrictions; but if we set the example of free intercourse, they may make, but I defy them to uphold them. They may struggle for a time to comply with the wishes of the ignorant and interested producers in their own country, but they cannot do so long. The ruin of their own trade,—the destruction of the property of all those who are not immediately interested in the monopoly,—the outcry of the whole mass of consumers, will drive them into a better and wiser course. If we wait

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till they grant reciprocity, we are the slaves of their will; if we give free admission to their produce, they become the servants of ours.

" What is the case with France at the present moment? No one can more deeply regret than I do the illiberal policy which guides, and, I fear, for some time must continue to guide, the commercial councils of that great people; and I speak in sorrow, not in anger, when I refer to it. But I am induced to do so, not only because I think it a happy illustration of the errors of such a system, but because I find, if not in the speeches of Honourable Gentlemen, at least in the petitions of the silk-throwsters, especially that from Macclesfield, her example is quoted, and her conduct held up as wise and just, and worthy of imitation by us. 'She continues,' say the petitioners, 'wisely her prohibitive laws. Look,' they say, 'at France: under her wise regulations her manufacture of cotton has increased tenfold, her industry has flourished, her prosperity has augmented.' How does the case stand? I refer to it with deep regret,—I lament it, because I consider her interests as identified with our own,—because I think that we have run too long the race of competition in the arts of destruction;—because I think that the time is come, when we should run that course for which nature intended us—the race of competition in industry, in wealth, and in civilisation;—I lament it, because, from my soul, I believe that one country cannot improve without benefiting her neighbour,—because I feel sure that no gale can pass over France, fraught with wealth, with prosperity, or with happiness, without bearing a portion of those blessings to Britain. I will not speak of her cotton mills—she may raise printed cottons at a dear rate—she may raise iron, instead of taking it from us, at double the cost; but what effect does this have upon the general industry of the country? What do those classes of producers say to this system, who find that there is no longer any demand for their

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produce? Are they satisfied? Do they find that other nations can buy their produce of them, when France refuses to take any thing in return? Are they not, with one voice, besieging the doors of the Chambers to induce them to return to a system less ruinous to their interests? It is a case so completely in point, that I cannot help referring to it. What is the situation of the wine-growers,—an interest five times as great as any other within the French dominions, employing 3,000,000 of people, and a capital ten times greater than any other in France? Listen to their language: thus it is they address the Chamber:—'What,' say they, 'is the basis of the prohibitive system? A chimera. To sell without buying. A secret still to be discovered! If we shut our ports to the productions of other countries, it is good, at least, to know that theirs must be shut on our industry: this kind of reciprocity is inevitable—it is in the nature of things; and what are the results? The destruction of the power of interchange, the destruction of all emulation, the obtaining of a worse article at a dearer cost.' And how is this statement supported? By a document showing that the decrease in the export of wines from Bordeaux and other places has been from 10,000 to 30,000 hogsheads. They must follow our example. It is no more in the power of governments to uphold for long, than it is for the interests of nations to suffer, such a system.

"I am no rash theorist,—I am not desirous of carrying a favourite principle into operation at the expense of existing interests; but I maintain that your only course is a gradual, a progressive, but a steady approach to a free system; and I maintain, without fear of contradiction, that the very essence of manufacturing and commercial industry, is freedom from legislative interference and legislative protection. Attempt to assist its course by protective enactments, by fostering care,—you arrest its progress, you destroy its vigour. Unbind the shackles in which your unwise tenderness has confined it,—permit it

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to take unrestrained its own course,—expose it to the wholesome breezes of competition, you give it new life, you restore its former vigour. Industry has been well likened, in my opinion, to the hardy alpine plant: self-sown on the mountain side, exposed to the inclemency of the seasons, it gathers strength in its struggles for existence, it shoots forth in vigour and in beauty. Transplanted to the rich soil of the parterre,—tended by the fostering hand of the gardener,—nursed in the artificial atmosphere of the forcing-glass, it grows sickly and enervated—its shoots are vigourless, its flowers inodorous. In one single word lies the soul of industry—competition. The answer of the statesman and the economist to his Sovereign, inquiring what he could do to assist the industry of his kingdom, was—"Let it take its own course." Such is my prayer. Relieve us from the chains in which your indiscreet tenderness has shackled us—remove your oppressive protection—give us the fair field we ask, and we demand no more. The talent, the genius, the enterprise, the capital, the industry of this great people will do the rest; and England will not only retain, but she will take a yet more forward place in the race of competition for wealth and improvement, which, by the nature of things, she is destined to run amongst the nations of the world. Place us in that condition is our prayer—not by any violent change, but by slow and easy transition. Here we shall find security for our enterprise and reward for our labours—

Hic patet ingeniis campus: certusque merenti
Stat favor: ornatur propriis industria donis.

"For these reasons, Sir, I shall give my decided opposition to the motion of the Honourable Member for Coventry, and my earnest, though I fear feeble support to the amendment of my Right Honourable Friend."

It may appear to some to have savoured of boldness, if not of presumption, in so young a member

1829. as Mr. Thomson, to have selected for his first and most studied efforts of Parliamentary display, the precise questions on which Mr. Huskisson was naturally expected to make his most brilliant speeches, since the entire merit of his system of policy was on its trial in the two great debates of this and the preceding year on the shipping and silk questions. It was not, however, in any spirit of rivalry towards that wise and liberal minister, —whose noble exertions in favour of sound principles of international trade were amply appreciated by Mr. Thomson, — that the choice was made, but from his anxiety to second those exertions and defend that policy, with the energy inspired by strong conviction, and the power derived from a practical knowledge of mercantile transactions. It is, moreover, well known that even in the first of these two years, the health of Mr. Huskisson was so failing, and his frame so weakened by laborious devotion to public business, that he might well be expected to require all the aid that could be afforded to him in the vindication of his policy; while that vindication would necessarily gain much in its effect, when coming from an independent member, opposed in general politics to the minister, but as a merchant and man of business able to bear the most unequivocal and unsuspected testimony to the beneficial character of his commercial policy.

Mr. Thomson, moreover, carried his views of the expediency of abrogating the restrictive system something further than Mr. Huskisson at this time,

1829. and in his position of a responsible Minister of the Crown, had yet ventured to avow; and was desirous to employ to the utmost every opportunity of advocating those views, of pressing a yet further adoption of their principle by the government and legislature, and of preventing any wavering or falling back in this course, of which he thought some symptoms were visible, and of which, indeed, there would have been considerable danger, had not the President of the Board of Trade been strongly supported by those independent members who approved of his policy, and could speak from a practical knowledge of its bearing on the interests of trade.

From the time of the delivery of these two speeches, Mr. Thomson may be said to have obtained a position in the estimation of the House of Commons, which gave weight and authority to his opinions; and he might fairly indulge the hope of being enabled to advance the cause he had so much at heart, from a situation of still greater influence, should ill-heath or accident (as was so soon unhappily to be the case) deprive the country of Mr. Huskisson's valuable services. The convictions which experience at this time had taught him as to the difficulty of inducing the legislature to admit of improvements, and the respect for those entertaining opposite opinions with which their advocacy should be accompanied, are expressed in a private letter to a friend who was pressing him to bring forward some scheme of the kind.

1829. " My dear ———,

" I see Black has put your effusions into the 'Chronicle.' I like your doctrine very well, but you fall into the line of which my friends the utilitarians are but too justly accused, and which with you, as with them, will go farther to defeat the extension of your principles, than your reasoning will go to establish them. You, like them, begin every discussion by telling those who differ from you that they are d—d fools, not exactly the way to put them in an humour for cool argument. You seem besides to have formed a most erroneous judgment of the facility with which any improvement can be carried into effect. To propose, to legislate, and to act on your law, you seem to think follow one another as glibly as cause and effect. Why, God bless you, the majority of the House of Commons, ay, 600 of the 650 senators, are opposed upon principle to any change, be it what it may; and a whole session could be readily spent by them in considering whether they had better consider."

Mr. Thomson himself, though not yet thirty, had already begun to suffer from the attacks of constitutional gout, and for the benefit of change of air he spent the winter of 1829 at Paris, which he had visited repeatedly in the three or four preceding years. He lived in close intimacy with many of the most eminent of the diplomatic and political characters resident there, and especially cultivated those public men who agreed with him in the desire

1830. to remove the restrictions of international commerce, such as M. D'Amisson, the Messieurs Delessert, Baron Louis, M. de Broglie, M. de St. Aulaire, &c. He was admitted frequently to the amiable family circle of the Duke of Orleans, and entertained the hope that all the weight of that Prince's influence and power (which has since reached so high a pitch) would be employed in furthering the advance of the same liberal policy.

In an early part of the next session Mr. Thomson on one occasion overstepped the limits he appears up to that time to have laid down for himself of confining his speeches to financial or commercial topics, and brought before the House the alleged coercion of the voters of Newark at the recent election of Mr. Sadler by the Duke of Newcastle, which had been defended by that nobleman in a published letter containing the celebrated phrase, " may I not do what I choose with my own?" This he justly considered to afford a favourable opportunity for exposing to public censure one of the worst abuses of the nomination system; and in this object the motion was eminently successful: even the members of the government, while opposing the committee asked for, appeared to reprobate the system adopted by the Duke, and the sentiments attributed to him; and the debate had undoubtedly considerable effect in swelling the current of popular feeling then setting so strongly towards Parliamentary Reform.

On the 25th March Mr. Thomson brought before

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the House a motion for a committee on the general taxation of the empire, in a speech of remarkable ability, in which he passed in review the whole system of our fiscal policy, and showed how inconsistent it was in almost every particular with true principles, and even with common sense. He argued that the pressure of taxation did not depend so much on its amount as on its *incidence*, or the manner in which it is taken from the pockets of the people. He showed to how great an extent many taxes on the raw materials of our industry checked commerce and the creation of wealth, and thus not only impoverished the people, but diminished the fund out of which taxes must be paid, to an extent infinitely exceeding the produce of the taxes themselves. He proved that many taxes were levied in a vexatious, harassing, and awkward manner, causing a far greater loss to the consumer, who ultimately paid the tax, than its mere amount. He contended that other taxes were too high, and consumption thereby checked to a degree from which the revenue itself suffered, and proved by a long array of facts that a reduction of duty in many instances might be expected to improve rather than diminish the revenue, besides affording immense relief to the consumer. He asked for a committee to consider the subject, the Finance Committee of the preceding year having been confined to the expenditure of the country, while it was equally expedient to

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review deliberately and to revise the means from which its income was derived.*

The motion of Mr. Thomson was supported in the subsequent debate by Lord Althorp and Sir H. Parnell, as well as by Mr. Huskisson and Lord Palmerston, who characterised the speech of the mover as a masterly exposition of the mode of levying the taxes. The Chancellor of the Exchequer concurred in the principles therein laid down; but Mr. Peel resisted the motion as one for transferring the functions of the Chancellor of the Exchequer to a Committee of the House of Commons; and the motion, though supported by the great body of the Whig party, was of course lost on a division.

The seeds, however, were thus sown of an improved system of taxation. In Mr. Thomson's speech are to be found the germs of nearly all the beneficial reductions of taxes, and improvements in the mode of their levy, which were introduced during the subsequent administration, in which he himself managed the department of the Board of Trade, and Lord Althorp the Exchequer.

Through the remainder of the session Mr. Thomson continued to urge on the government a more economical administration of the national resources. He brought forward, or spoke in favour of, the reduction of the stamps on newspapers, of the duties on Foreign lead, on sea-borne coals, and

* See Appendix.

1830. on sugar; and took an active part in the several debates on questions relating to the reduction of public expenditure, which characterised that session. He served also in the Committee on the East India Charter, taking a very diligent share in that important investigation. Upon the dissolution of Parliament, owing to the death of the King, and the accession of William IV., Mr. Thomson had again to contest his seat for Dover with his former opponent, Mr. Halcomb. The expenses of these frequent contests were dispiriting, and appear to have led him to think seriously of retiring from Parliament. But his friends were now convinced that the path he had selected for himself was one in which he was well qualified to shine, and they dissuaded him from abandoning it.

The interval between the general election in August and the meeting of the new Parliament at the end of October, was passed by Mr. Thomson in Paris, where events of such extraordinary interest and importance had so recently occurred. During this absence from England the death of Mr. Huskisson having caused a vacancy in the representation of Liverpool, some of the party by which that statesman had been returned, turned their attention to Mr. Thomson, as among public men the best fitted to be his successor. It was, however, found that the personal friends of Mr. Ewart, as resident on the spot, had began so early and active a canvass, as to make the attempt hazardous, and it was desisted from.

1830. When the division on Sir H. Parnell's motion for inquiry into the Civil List caused the resignation of the Duke of Wellington, and Earl Grey was intrusted by the sovereign with the formation of a new administration, the office of Vice-President of the Board of Trade, with the Treasurership of the Navy, was proposed to Mr. Thomson, and accepted by him.

By this time, indeed, he had established for himself a reputation of no common order. The part he had taken in the debates of the House, and in the proceedings of its committees, on questions connected with commerce and finance, had proved him to possess not only a clear practical acquaintance with the details of these subjects, but also principles of an enlarged and liberal character, and powers of generalisation and a comprehensiveness of view, rarely found combined with the former qualities in the same individual. The loss of Mr. Huskisson had been severely felt by the public, and especially by those who looked for the further extension of those enlightened principles he had begun to introduce into our commercial legislation; and in Mr. Poulett Thomson they thought they saw (and his further career justified the expectation) one imbued with the same enlarged views and liberal principles, with natural sagacity, energy, activity, and habits of business, fully equal to those possessed by Mr. Huskisson, together with an intimate knowledge of commercial concerns, acquired from opportunities of practical insight and foreign travel, advantages

1831. which that statesman had never possessed. Added to which there were indications of a firmness and determination of character, coupled with tact and discretion, the want of which in Mr. Huskisson was perhaps more injurious to his successful career than any of the external circumstances he had to contend against.

It was natural, therefore, that in the new arrangements Mr. Poulett Thomson's aid should have been called for; to Lord Althorp, perhaps, chiefly belongs the merit of that just appreciation of Mr. Thomson's abilities and powers of usefulness which secured his valuable services to the public at this critical period. There could be little hesitation as to the department of the government for which he was peculiarly qualified: and his conduct at the Board of Trade for nine years proved the soundness of the judgment then displayed.

This appointment rendered it necessary for Mr. Thomson to withdraw from the commercial firm with which he was connected, in the business of which he had continued to take an active share, even while devoting by far the largest portion of his time to parliamentary labours. A dissolution of partnership accordingly took place in November, and he was once more reelected for Dover, this time without a contest.

Mr. Poulett Thomson had now attained a position which enabled him to introduce into practice those improvements in the fiscal policy of the government which he had advocated while out of office; and to

1831. this task he applied himself with that remarkable diligence and perseverance which distinguished his character.

One of the first steps taken by him, immediately on his attaining office, was the revival of the office of Inspector-General of Imports and Exports, which had been abolished for the sake of a petty economy two years before; a change of great value to all statistical investigations; and, indeed, essential to a clear and correct understanding of the financial and commercial position of the country, upon which our system of legislation and taxation is professedly based.

He took the earliest possible opportunity to carry into effect a reduction of the duty on barilla, by which the manufacture of soap was impeded, and its cost greatly enhanced to the consumer, for the supposed object of bolstering up the kelp fishery of the North coast of Scotland, though that branch of industry, which had grown up during the war, when foreign alkalies were almost inaccessible, had no chance whatever of prolonging its existence under any circumstances, the progress of chemistry having superseded the weak alkali made from kelp, by a far stronger one manufactured from salt.

The Scotch landlords, however, could not be persuaded that their own product should not still be protected from every other competing article, and Mr. Thomson had very early in the session to resist repeated attacks from this quarter, which were countenanced far more than could well be

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justified by some of the members of the preceding government, although, in fact, a similar measure to that introduced by Mr. Thomson had been prepared by themselves before they left office.

When Lord Althorp, as Chancellor of the Exchequer, brought forward his Budget, on the 11th of February, it was very generally supposed (and perhaps not without good grounds for the belief, from the well-known confidence entertained in him by that high-minded and amiable nobleman) that Mr. Thomson was the author and adviser of some of the principal features of the scheme. And when it turned out that two of the proposals introduced into it, the tax on the transfer of stock and the timber duties, were such as the House of Commons would not sanction, the discredit attached to these unlucky portions of the budget was currently thrown on the shoulders of Mr. Thomson, who had inherited from Mr. Huskisson, together with his official duties and the task of advocating free trade principles, all the hatred and malice of those numerous and loud-tongued parties among the press and the public, who considered every removal of a restriction on commerce as a blow aimed directly at their monopolies, and resented it as a robbery. The fact, however, we believe to be that for the first of these suggestions, viz. the tax of one half per cent. on the transfer of stock in the funds, he was in no degree responsible, and on the contrary had remonstrated against it. It was otherwise with the important mutation proposed by Lord Althorp in the

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amount and mode of collection of the duties on timber,—a proposal which, it was shown on calculations never since impugned, would, if carried into effect, have improved the revenue by a sum of 600,000*l.*, (to which extent other taxes were to be remitted) while the consumer would at the same time be greatly benefited by obtaining a better article for his money. The change was successfully opposed by a combination of class interests with the party which had been just driven from office. The shipowners and colonial interests, uniting with the landowners, the silk and glove traders, and all others who dreaded the approach of principles of free competition in their own cases, proved too strong for even the Reform Ministry,—even for Lord Althorp's influence,—and on a division on the 18th of March the timber duties were lost by a majority of 236 to 190. The justification of the proposal then made is to be found in its reproduction ten years later, by Mr. F. Baring, in his Budget of 1841. And though even then the same failure attended it as on the previous occasion, from a similar combination of the anti-commercial classes, but especially through the resistance of the powerful agricultural party to the proposed change in the Corn Laws by which it was accompanied, yet the unbiassed opinion of future financiers and of intelligent and well-informed persons in general, may not improbably give the palm to this proposed arrangement of the wood duties to that which was in its stead carried into effect by Sir Robert Peel in

1831. 1842, and by which a sum of 600,000*l.* is anticipated to be lost, instead of being gained, (making a calculated difference to the revenue of 1,200,000*l.* between the two arrangements,) whilst as far as can be hitherto seen, the consumer will benefit in no proportionate degree.

Mr. Poulett Thomson took little part in the animated debates of this or the succeeding session, on the great question of the Reform Bill. He had ample employment in the preparation, production, and defence of measures of financial and fiscal policy. He felt, notwithstanding, the deepest interest in the progress of that question, and the confidential terms upon which he lived with the leading framers of the measure, especially with Lord Althorp and Lord Durham, gave him many opportunities to impress upon them his strong convictions on the subject. Again in the exciting events of the next year, when at one moment the fate of the monarchy appeared to tremble in the balance, the advice and remonstrances of Mr. Thomson were, it is well known, not wanting with his more prominent colleagues to support them in that course of bold and determined policy, which proved ultimately successful in rescuing the country from the extraordinary difficulties of that trying occasion.

Among other useful measures to which at this time he devoted his attention, was the improvement of the mode of keeping the public accounts, by the commission appointed for the purpose in this year, of which Sir Henry Parnell was chairman, and Dr.

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Bowring secretary. To the labours of this commission Mr. Thomson brought the most valuable assistance, and succeeded at length in forcing upon our public offices the mercantile system of double entry, and the general principles of a sound accountancy.

On the occurrence of the dissolution in April 1831, he was once more elected for Dover, though as usual at the expense of a contest. The business of his office, and the preparation of new fiscal measures, occupied his entire attention during the interval before the assembling of the new Parliament in June; and amongst other matters on which he was thus engaged were the sanitary precautions to be adopted to meet the threatening scourge of the cholera morbus, which at that period had commenced its invasion of our coasts.

In November Mr. Poulett Thomson went to Paris, where, in conjunction with Lord Durham, he set on foot the preliminary negotiations with a view to a new commercial treaty with France. A joint commission was named by the two Governments to discuss the commercial relations between their respective countries, consisting of Mr. George Villiers, (now the Earl of Clarendon) and Dr. Bowring on one side, and Messrs. Freville and Duchatel on the other. The instructions drawn up by Mr. Thomson for the guidance of the British Commissioners is an able document, in which the state of the question and the considerations to be had in view are most perspicuously set forth.*

* See Dr. Bowring's Report, 1834.

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The labours of this commission, which was renewed and continued at intervals up to 1835, were not without fruit, though the interested opposition of particular interests, which happen unfortunately to be strongly represented in the French Chambers, has prevented even up to the present hour the definitive arrangement of any general treaty to regulate the commercial intercourse of the two countries. A vast mass of statistical facts were collected for the enlightenment of both governments. Sound principles of international commerce were established and assented to by both parties as the basis of all future arrangements; nor have the labours of the commission been devoid of practical results. It has been called an abortion; but when constituted, the exports of British manufactures to France did not amount to half a million sterling. In consequence of the changes introduced, though of a very minor character compared to what still remains to be effected, the exports were quadrupled. They amounted in 1840 to more than two millions.*

* The principal modifications obtained by the commissioners in the tariff of France were—

The admission of cotton twist of the higher numbers;

The lowering of the duties on English tin;

The removal of the prohibition on the export of French raw silk;

The lowering of the tonnage on English vessels to one-third of its previous amount;

The diminution of the duty on coals.

The foundation was also laid of the Post Office arrangements since carried into effect between the two countries; and the first severe shock was given to the prohibitory system in France, of which both countries cannot fail before long to reap the full benefit in a free and unrestricted exchange of their surplus productions.

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In the ensuing session Mr. Thomson had to defend on several occasions the alteration in the wine duties, which formed a part of Lord Althorp's financial scheme. He also experienced the most obstinate and continued resistance from the West India interest to the continuance of the Act by which foreign sugars were admitted to be refined in this country,—a permission by which England obtains a very valuable carrying trade, and is made the entrepôt of much international commerce.

In the same manner he had to contend in the next year against repeated motions for continuing exorbitant duties on foreign gloves and silks; and to defend the policy of Mr. Huskisson's alterations in the navigation laws against the inveterate and persevering hostility of Mr. Robinson, the member for Worcester, and other supporters of the restrictive system.

He moved for and presided over a committee to inquire into the state of the silk trade; and the Report subsequently drawn up by the committee as the result of their inquiry at length set at rest for ever that long-disputed question, by proving that the abolition of the protective duties, which were declared so essential to the trade, had been productive of the most remarkable improvement in its condition and prospects.

1832. He likewise introduced and carried through Parliament in the session of 1832, a very large alteration and consolidation of the Customs Duties, or Tariff.

In the summer of this year, Mr. Thomson was called upon for an exertion of moral courage, which in many persons in a similar position would have been found wanting. An action was brought against him in the Court of King's Bench by a person of the name of Bushell, an outvoter of Dover, for the amount of expenses falsely alleged to have been incurred by him on Mr. Thomson's account, in the last Dover election. He determined to resist this imposition at all risks, and they will be believed to have been considerable, by those who remember the bitter and malicious spirit in which he and other members of the administration were continually assailed by the opposition press, and the eagerness with which every circumstance in their private conduct which could be laid hold of was tortured into a ground for the most odious and blackening charges against them. The result of his firmness on this occasion afforded a proof that it is far wiser to meet attacks of this kind with boldness and determination, than to yield to them in any degree, from the desire to avoid being brought before the public in a manner which may be open to misconstruction. His Journal expresses his gratification at the result of the trial.

"14th July.—A. came from the city to say that the cause with Bushell was decided. I have come off

with flying colours. His own witnesses put him out of court. Scarlett did not call any for me, and the jury stopped the judge as he was going to sum up, and declared themselves satisfied. The verdict, of course, carries costs, and is most honourable. I am obliged to Scarlett, who is said to have exerted himself much, and to have spoken of me in flattering terms. This, A. says, Campbell, who led for Bushell, did too. John Williams, whom I met at Tunbridge Wells this evening, was in court, and declares that nothing could be more satisfactory than all the proceedings. I own I am much pleased. The result has made me feel an emotion, *a new one*, which is now rare. How little are the opinions of even the best counsel to be depended on! Scarlett, two days ago, was very unfavourable to the cause, and recommended a reference in the strongest terms. And yet to-day he wrote to A., in court, that the case of the plaintiff was the weakest possible. He has certainly been very friendly to me, and I must not forget it. The jury were seven special and five talesmen. I left town at three o'clock for Tunbridge Wells." 1832.

The excessive application of Mr. Thomson to public business during this session materially affected his health. Attendance on some committees in the morning, his office, and the night passed in the House, often till two or three in the morning, was more than any constitution could bear, any energy successfully contend with.

His Journal, which from about this period was

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kept with tolerable regularity, contains occasionally such entries as the following:—

"August 28th, Saturday.—A week of the hardest possible labour. I have not returned from the House any day till three o'clock; on Wednesday not till four. It is impossible to stand this! I find my body quite exhausted, and my mind equally worn out. All this week I have alternated between the bank and silk committees, and then the House. On Wednesday I carried my bill (the Customs Duties) through the committee: was at it from five till two in the morning, nine mortal hours! . . . . I passed my bill to-day, thank God!"

At the close of the session, Mr. Thomson made a tour of a couple of months through the manufacturing districts of Derbyshire, Lancashire, and the west of Scotland, visiting many of the principal factories and establishments, as well as Liverpool and Glasgow, and returning south by Edinburgh and the north road. He had been some time previously requested by a deputation from Manchester, to offer himself as the representative of that borough, in the approaching general election under the Reform Act. But, unwilling to give up the time necessary for canvassing so extensive a constituency, he had declined the proposal. Upon being further urged, he expressed his willingness to sit for Manchester, if elected, but refused to take any steps to obtain the seat, and declared himself a candidate once more for Dover. On his visit to Manchester in August, he met with so friendly

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and flattering a reception, that he began to regret having put it out of his power to take any steps towards obtaining an honour, the value of which he had never underrated, but which he had overrated the difficulty of securing. In consequence of his former refusal, another gentleman, Mr. Loyd, professing nearly the same political principles, had come forward as a candidate; and under these circumstances, it was too late for Mr. Thomson to alter the determination he had avowed. He even went the length of authorising Mr. Loyd's committee to publish a denial on his part of any intention to offer himself for Manchester, and a declaration that he had been posted as a candidate without his authority. His enthusiastic admirers, however, would take no denial, and in spite of every thing, persisted in canvassing the borough for him; and the result proved that they had judged correctly of their fellow-citizens, who were too high-principled to require a personal canvass, or even an address, from a statesman sufficiently well-known to them by his public character and former parliamentary conduct.

When, at length, the general election came on, Mr. Poulett Thomson attended at Dover, and was returned at the head of the poll. On arriving in London from thence, he was met by an express forwarded from Manchester, announcing that he had likewise been elected for that place by a large majority, and this in his absence, without having solicited a vote or

1832. issued an address, nay, without having even given any sanction to his nomination!

This was, indeed, an honour of which he might justly feel proud. Unconnected by business or residence with the district, unknown to the electors personally, known only to them by his public character and parliamentary conduct, he had been spontaneously selected as one of their representatives in Parliament, upon the first occasion of their exercising the franchise conferred by the Reform Act, by the constituency of the most important seat of manufacturing industry in the empire. Instances of such elections, it is said, occasionally occur in France. But in the history of parliamentary elections in England, such a mode of selecting a representative, so honourable to both parties, the constituency and the object of their choice, was, we believe, wholly unprecedented.

To Mr. Poulett Thomson, the honour thus conferred was, from many circumstances, peculiarly gratifying. He had earned it by his own exertions, unaided by rank, station, or influence, without a pledge, without even a promise, beyond that which his past conduct held out. It confirmed, by the unquestionable seal of public approbation, the high opinion that had been formed of him by his friends now in office. It amply justified their recent selection of him as a colleague. It moreover proved the truth of what they had always maintained through the struggle for reform, as to the worthiness of the constituency which their measure

created; while, at the same time, it imparted to them a new element of moral strength, in the unsolicited support and adhesion of a community capable of making so noble an use of its newly acquired franchises. 1832.

It was impossible for Mr. Poulett Thomson to hesitate in the choice he had now to make of sitting either for Dover or Manchester. Though he had formed many attached friends in the former place, and could not but feel regret at the dissolution of his connection with them, yet the borough had been too deeply imbued with the vices of the old system of election, not to be always a source of very great trouble and expense to its representative. And, under any circumstances, the representation of Manchester, by far the most important manufacturing constituency in the kingdom, was a station not to be refused; a position which would necessarily give him an increase of weight and influence, both in the councils of the government and in the House of Commons, of the highest importance to the efficiency of his exertions in the public service. These were motives to which every other consideration must yield. And accordingly, in pursuance of them, Mr. Poulett Thomson issued without delay a farewell address to the electors of Dover, and started for Manchester, where preparations were making on a scale of extraordinary magnificence for a public entertainment to the new members.

This took place on the 27th December in the theatre, the whole interior of which had been fitted

1832. up with great splendour, and was occupied by an assembly of more than eleven hundred persons, comprising a large portion of the wealth, respectability and talent of the town and immediate neighbourhood, Mr. B. Heywood, the late member for the county, being in the chair.

Mr. Thomson's speech to this assembly was worthy of the occasion which called it forth, and may be read with deep interest even yet. Already there had appeared signs of something like difference among the members of the party by which the great measure of the Reform Act had been carried. The word finality had been spoken at Lancaster by Lord Stanley. It had naturally grated harshly in the ears of many ardent and conscientious Reformers, who saw plainly that the evils of the nomination system were mitigated, but not eradicated by the Reform Act. These were naturally alarmed, and anxious to learn whether the principle of the finality of the Act was to be the common motto of the entire government. On the other hand there were many who feared that no stopping-place could be found in the course of organic change once entered upon, and that the members of the Government themselves would not venture to resist their partisans when urged forward by them to fresh innovations on the established Constitution. The line taken by Mr. Poulett Thomson in his speech at Manchester showed the fallacy of both these anticipations. While repudiating the doctrine of finality, and admitting that imperfections must still remain in

1832. our representative system which future legislation might be called upon to correct, he boldly denounced the absurdity of frequent and unnecessary change in what is but the instrument of legislation; called on his friends to look to practical measures rather than theoretical grievances; and declared that he was prepared to resist the adoption of principles or measures, however good in themselves, if brought forward inopportunely, or so as to obstruct greater and more pressing objects.

After passing in review the leading questions which were likely to absorb the attention of the reformed Parliament, the Vice-President of the Board of Trade naturally turned to those plans of reform which were more immediately connected with his own department. And those who recollect the inveterate persecution which, like his predecessor Mr. Huskisson, he had for years endured, while attempting to carry out the principles of commercial policy which he believed to be essential to the prosperity, and even the safety of the state, may perhaps sympathise with the human and natural feeling with which he refers to these attacks, and to the position he then occupied, as his best and ample vindication from them. Those who have lived to the present day, to witness a claim set up to the early advocacy of these same principles on the part of the highest statesmen in the realm, as the main ground on which they can claim the confidence of the intelligent and well-informed classes, may perhaps be sensible of a still

1832. warmer feeling towards one whose advocacy of commercial freedom in those early times was not such as to leave any doubt on the minds of his hearers; who encountered willingly, and almost exclusively endured, the odium and hostility of those who thought their interests compromised by the threatened change of policy.

In many other points of view likewise, the passage which follows from Mr. Poulett Thomson's speech at Manchester in 1832, is well worthy of perusal at the present time, when the questions of which it treats are still subjects of discussion.

"Gentlemen, my excellent friend, our worthy chairman, has done me the honour, in proposing my health as one of your representatives, to allude to the particular subject to which I have always lent my best advocacy—the advancement of liberal principles of commercial policy. I feel that allusion under present circumstances in a way which it is vain for me to attempt to describe. I have been for years exposed to all the shafts which malice or ignorance could point against me for the devotion I have ever shown to those principles. I have been marked out by every blockhead—ignorant of the most common principles of commerce—men whom not one of you would keep within your counting-houses in the most inferior capacity—men utterly unacquainted with any of those great principles which have been not only so eloquently developed within this country, but which have since been put to the practical test of experience, as the butt at which they could aim their pointless sarcasms. I have been exposed for years to every thing which malevolence or interest could suggest in the way of attack or vituperation. I have seen myself accused of being a hard-hearted theorist—a cold-blooded political economist—willing to sacrifice

at the shrine of his own fancy the best interests of his country and of his fellow-citizens. I have had this rung into my ears in speeches, and repeated *ad nauseam* by a portion of the public press. Still I have stood erect under it: my spirit has quailed, but it has not been broken—it has been bent, indeed, but I have still resisted. I have felt that the day of my triumph would come at last—it has indeed arrived. The confidence which you, the electors of this great metropolis of the manufacturing industry of the world, have reposed in me, unsought and unsolicited, —an honour which I never hoped to obtain, and which I should never have sought to achieve—is indeed the most convincing and irresistible answer to attacks of that description. You have interposed a barrier under whose shelter I can proudly stand and defy the attacks of the ignorant, or the scoffs and calumnies of the malicious. You have conferred upon me an armour which has rendered me impenetrable to the weapons of such foes. With a shield on my arm, upon which stands engraved the word 'Manchester,' I can encounter, as I did indeed before with trepidation, but now with confidence, all those who may seek to assail me. 1832.

"But what, may I now ask, are those principles which I have ever thus advocated? They are the most perfect freedom of exchange—a fair field for our industry—and no restrictions, beyond what for fiscal purposes are necessary, upon the exertions of our manufacturers;—in one sentence, to buy as cheap, to sell as dear as possible. Gentlemen, we have made some progress, I will not say a great progress, towards removing some of that faulty legislation, by which the industry of this country has so long been oppressed. We began, as we were justified—as indeed we should not have been justified in not doing —cautiously, slowly, and therefore prudently; but as success has attended our efforts, as all our attempts have shown that the removal of prohibitions, the relaxation of what has been so falsely termed protection, tends to the

1832. augmentation of our industry and the increase of our wealth, we have a right to argue that we may proceed in the same course. And what is that which has so falsely been called protection? Let any man scan it. Is it any thing but an attempt to do that which no laws but that of nature can do, to adjust the different degrees of advantage enjoyed by different branches of industry—a system for heaping upon what is already burthened an additional burthen—imposing shackles upon the free exercise of talent, and industry, and capital, oppressive to all, and really beneficial to none? But, say the advocates of this admirable recipe for getting rich by Act of Parliament, protection is necessary to secure our industry from foreign competition. What are the effects it has produced in this respect in this country? You see it illustrated at home in a manner which cannot fail to have been present to every man's mind long ere this. Let me ask you what protection has been given to that great manufacture which gives employment to hundreds of thousands—nay, to millions I may say—within the great district that encircles your city? What protection has the cotton trade had? I answer, none whatever! Unaided by any legislative enactment—unassisted by the fostering hand of power—unprotected by the Custom-House book—this great manufacture has grown from an infant's condition until it has attained a giant's strength. We see it with one arm encircle the conquests of the new world, and with another shower its productions into the very heart of that country, the vast empire of India, which was formerly its successful rival, and extending and pushing forth the fruits of its industry even into the central regions of Africa, where no European foot was ever yet stamped. This, gentlemen, is the success which has attended a manufacture which was not the pet of the legislature. Let me now mark the course of another manufacture fenced round by protections of all kinds, equally a production of a foreign country—the raw material equally brought from a distance—and thus affording

a fit comparison with that which I have named. What was the case with silk? Was protection wanting there? Were there no laws which restricted foreign competition—were there no penalties upon those who attempted to introduce it? And did all this protection, amounting to absolute and total prohibition, tend to make this branch of industry flourish and extend itself? Under the auspices of the Coast Blockade and the Search Warrant did it realise the theories of the protectionists? Was it found that that manufacture, rivalling and outstripping all its competitors in foreign countries, obtained an extension like its poorer and unprotected, but therefore more hardy brother? No such thing—not only did it not attain the vigour which would enable it to reach foreign climes, but, in spite of your prohibitory laws—in spite of your penalties exacted from the unfortunate smuggler, it was met even in this country at every turn by its foreign competitors. In these two branches then we may read the history of the fallacy of protection. My system, then, is this:—leave to industry a full and fair field—relieve us from your unwise protection—remove from us your well-meant but injudicious care—leave us alone, let our talent, our capital and our invention follow their free course, and what I see before me to-day removes, if I ever had, any doubt that we shall then have no rivals to fear, no competitors to dread. 1832.

"But, gentlemen, is this all? Do I take merely so narrow a view of this great subject as that which I have presented to you? There are other and more important considerations involved in this question. By extending and developing our industry at home—by giving it its fullest extension as regards foreign countries, (and we can only give it that extension by consenting to receive from foreign countries that by which they are able to pay us,) we extend the benefits of a common band of union. Mankind may be knitted together for a time in various countries by sympathies excited by accidental circumstances, but

1832.

there can be no common bond of union between nations but one founded upon a feeling of common interest. Make foreign nations dependent upon you for some of their comforts and their conveniences, encourage them in the prosecution of their industry by becoming their customers, give to them the products of your own, in an exchange advantageous to both parties, and you raise up mutual feelings of affection and of sympathy, which will go farther than any thing else to prevent that which in my mind has been, and is, the greatest curse that has ever afflicted mankind—war.

"I have perhaps, gentlemen, advanced a step further in some respects than those who preceded me were willing to go; not in their acknowledgment of the principle, but in the avowal of my willingness to act upon it, and I have not hesitated to do so. I contend, and I have contended, that if we consent to take from foreign countries that which they produce, they must of necessity receive from us in payment our productions. They may raise up libraries of custom-house books—they may surround their territories with custom-house officers—they may fill their seas with cruisers—but, if we are to take any thing from them, they must take from us in return. The principle, then, which I have advocated, is to follow out, straightforwardly, our own course, to remove the unnecessary restrictions and prohibitions from the productions of other countries, and to trust to one of two consequences resulting; either a sense of their own folly, which will induce them to adopt a better system of legislation, or to that necessity which I contend must exist—if they wish to take advantage of us—that they should admit, somehow or other, what we can give them in payment."

Mr. Thomson's Journal contains but a brief record of this brilliant event, but it is worth transcribing.

"Sunday night, 30th December, 1832.—This has been a week of prodigious excitement, and I have had no time to set down one word. Monday at the Exchange. Tuesday, Christmas Day, quiet. Thursday, the Dinner, the proudest day of my life. 1250 people sat down, Heywood in the chair. I spoke an hour and a half, and, I think, well. Friday dined at Heywood's, and Saturday night left for Town, *very ill*. To-day sent for Copeland."

1832.

In the course of the following session, many valuable alterations were effected by Mr. Thomson in the customs duties. Besides the entire abolition of the duty on hemp, an absurd and mischievous burden on all British shipping, a great reduction was made in the duties on dye-stuffs used in our manufactures, and on medicines consumed largely by the poor. He likewise introduced for the first time a methodical and rational classification of all the customs duties retained in our Tariff. At a later period in several successive years Mr. Thomson carried out still further this simplification of the duties on Imports, and their reduction where the revenue would admit of it. The attention of fiscal reformers had hitherto been directed principally, if not wholly, to a few of the larger articles, such as sugar, coffee, timber, wool, and cotton. But Mr. Thomson saw clearly that while considerations of revenue or of party policy might forbid the sound principles of finance being at once applied to these, it was yet in the power of government to afford extensive and very sensible relief, both to a variety of branches of native industry, and to the

1832. consumer at large, by reduction of the heavy duties imposed on some hundreds of small, and apparently insignificant articles, which brought in little to the revenue, while the high duties on them were a grievous obstacle to their use in the arts or manufacture, or their direct consumption.

In bringing before Parliament these successive measures, Mr. Poulett Thomson, with great tact and judgment, avoided any boasting display, anything like heralding them with a flourish of trumpets, which he rightly considered would only draw the attention of the combined monopolists, his habitual opponents, to their value, and lead them to thwart his scheme. He always confined himself on these occasions to a very brief and simple statement of the alterations he proposed, printing and laying before the House a schedule of the amended duties. And he thus generally succeeded in disarming opposition, and passing his customs bills without serious difficulty. But, modestly as these changes were introduced, passing almost in silence through the House,—the little discussion they occasioned being confined to the committee on the bill, when the proceedings are rarely at all reported by the public press,—it may be questioned whether the practical benefits conferred in this unassuming and unpretending manner on the public, did not infinitely outweigh in real and permanent value, many of those more ambitious and more prominent measures of the same or other periods, the announcement and discussion of which resounded through

both hemispheres, and were agitated by every political coterie in the empire. 1833.

His practice was to ascertain from the Chancellor of the Exchequer, at the proper period in each session, the largest sum that he could be permitted to dispose of for this purpose. He then applied himself, by careful and searching inquiries, to determine how the boon could be most advantageously bestowed;—in other words, what reductions could be made in the multifarious articles of the Tariff, so as to secure the greatest benefit to the productive and consuming classes, without risking any larger amount of revenue. The result was an annual improvement sensibly felt by the public throughout the minutest ramifications of trade; while the effect upon the revenue was comparatively trifling.*

* Mr. Poulett Thomson reduced the duties — in all to a very considerable extent — in many cases from a prohibitory amount to a trifling per centage, upon

217	Articles	of	Commerce	in 1832
63	-	-	-	1833
16	-	-	-	1834
3	-	-	-	1835
49	-	-	-	1836
25	-	-	-	1838
373 articles in the whole.				

These articles comprised, among others,

Almonds.
Bark for tanning or dyeing.
Cocoa.
Coffee from British Possessions, India, &c.
Gums.
Hemp.
Hides.
Furniture Woods.
Chemical Oils.
Sago.
Seeds of various kinds.
Skins of all kinds.
Fresh Fruits.

1833.

Even where financial or political considerations stopped him from carrying his reductions further, Mr. Thomson had established principles and set an example of system in the arrangement of our Tariff, which his successors at the Board of Trade have found it necessary to carry on to still further improvements of the same nature.

The records of the Board of Trade, and the evidence of the able officers permanently employed there, such as Mr. Macgregor and the late Mr. Deacon Hume, attest that the more recent enlarged alterations of the tariff effected by Sir Robert Peel and Mr. Gladstone, are, to a great extent, but the realization of projects and the carrying out of principles laid down by Mr. Poulett Thomson during his official connection with that board, as *desiderata* to be secured whenever the government had the power to do so.

The main principles, for example, of the *abolition* of all *prohibitions* on imports, the *reduction* of duties on raw materials employed in manufactures to a nominal amount, and on manufactured articles and objects of consumption to a per centage which would defy the competition of the smuggler, were specifically laid down by Mr. Thomson as the true principles of our tariff, in more than one speech and document.

Dried Fruits.	Cochineal.
Wax.	Indigo.
Drugs and Dyes — a numerous list.	Rice.
	Pot and Pearl Ashes.
Oils of various kinds.	Ivory and Teeth.
Spices.	Asphalt.
Currants.	Stone.
Raisins.	Canes.
Figs.	Books.
Prunes.	Maps.
Woods used in the Arts.	Mineral Water, &c.,

besides a reduction of one half the duty upon all unenumerated Goods or Merchandize.

1833.

In the session of 1833, and indeed for more than one of the succeeding years, the attention of Parliament was chiefly taken up by debates on Ireland and the Irish Church. In these Mr. Thomson took but little part; although, out of the House, his influence was continually exerted with his colleagues in office to obtain as large a concession as possible to the principles of religious liberty.

It was, indeed, proposed to him at this period to undertake the office of secretary for Ireland; but he wisely declined the offer, preferring to remain in that department where his thorough knowledge of the principles and practice of commerce enabled him to be most useful to the public.

On the 20th March, in resisting a motion of Mr. Robinson in favour of the substitution of direct for indirect taxation, he delivered a speech replete with the soundest principles of financial policy. And on the 22d April he spoke very much at length, and with equal effect, on Mr. Attwood's motion upon currency.

Two great measures were passed in this session, emanating in a large degree from him — the Act

1833. for the renewal of the Bank Charter, and the Factories Regulation Act. Both of these measures he looked upon rather as compromises, than as settlements, of two difficult questions; in neither of which would the state of public opinion at the time permit sound principles to be fully carried out.

On the subject of banking, and note issue especially, Mr. Thomson always entertained very strong opinions. He had paid great attention to the question, which his practical acquaintance with commerce enabled him thoroughly to master. He served assiduously on the committee of secresy of 1832, on the question of the renewal of the Bank charter, and in subsequent years attended closely the several committees on joint-stock banks.

His opinion was always in favour of the exclusion of all paper payable at sight, except the notes of a single national bank issuing paper solely against bullion, and unconnected with banking or private interests. And such a Bank he at a later period attempted to create in Canada; by means of which he hoped to establish a system of currency in that colony, which should prove a model for other countries. Unfortunately, this valuable project he was prevented, by the pressure of other business, from accomplishing, although a great advance was made towards it, and its plan fully developed. Under such a system he frequently asserted that the exchanges would regulate themselves, panics become impossible, and notes of less denomination than five pounds might be permitted to circulate

1834. without risk, thereby liberating a very large capital, now unproductively employed as their substitute in the circulation of the country.

The arrangement of the act for regulating the labour of children and young persons in factories, occupied much of his attention, as did also in subsequent years the superintendence of the commission appointed to carry out that act, which was allotted to the Board of Trade.

These subjects, with the other usual duties of his office, including the difficult question of the mode in which the refining of foreign sugars in this country could best be permitted, fully engaged his time during the session of 1833. On the breaking up of Parliament, he found change of air necessary for his health, and made a tour of the Rhine, returning by way of Paris, where he spent the month of October, engaged in endeavours to negociate the arrangements of a commercial treaty between the two countries.

Early in the next session of Parliament, the question of the Corn Laws came on for discussion, upon a motion of Mr. Hume, in favour of a moderate fixed duty, in place of the fluctuating or sliding scale of the law of 1828. In this debate, on the 7th March, Mr. Poulett Thomson delivered a speech which may yet very profitably be referred to as embodying all the main arguments which still continue to be vainly urged by

1834. the advocates of such a modification of the law.* Events have since, indeed, most forcibly confirmed the opinions and predictions therein contained as to the effect of the continuance of these laws. He showed by a large body of evidence that our refusal to take the chief agricultural produce of other countries, and especially of the north of Europe and America, was fast leading them to adopt an equally restrictive policy towards our manufactures, and indeed to combine, in the spirit of the continental system of Napoleon, to shut our products out from the markets of the world. His anticipations have, alas, been truly fulfilled. He proved from former experience the tendency of a fluctuating scale of duties to produce and aggravate fluctuation in prices, contrary to the express intention of its framers; and the years that have elapsed since he spoke have remarkably confirmed this argument likewise. He proved that a fixed duty would be as beneficial to the shipping as to every other commercial and manufacturing interest. He showed how seriously the farmer was deluded and injured by a law which he is told was enacted for his benefit, and to keep prices high and steady, but which almost periodically pours into the markets a flood of foreign grain, just at the moment when they are turning against him, and it becomes necessary for him to sell. He showed that Mr. Huskisson's authority, which then, as since, had

* See Appendix.

1834. been repeatedly quoted against a repeal or alteration of the corn laws, was quite the other way; that he had found reason to modify his opinions latterly, since in 1830, after two years' experience of the corn law of 1828, he had declared "his unalterable conviction that this law could not be upheld if the existing taxation, national prosperity, and public contentment were to be preserved, and that it might be wholly repealed without affecting the landed interest, while the people would be relieved from their distress." Finally, Mr. Thomson warned the House of the danger of delaying the question until the distress of the commercial classes increased, our national resources were further consumed, our commerce perhaps irretrievably injured, and the cry for cheaper food had convulsed the country.

In thus giving utterance to his sentiments on this most vital question, he was speaking against the great majority of his colleagues, the government as a body opposing any change in the law. And, indeed, it was only by extreme firmness on his part that he was enabled to obtain the assent of the cabinet to its being treated as an open question.

In this year Mr. Thomson introduced some important and valuable improvements in the warehousing system, in a Bill which embodied all former Acts on the subject, and enlarged their powers, and the facilities thereby afforded to commerce. He likewise brought in and passed an improved Customs Act, carrying out still further

1834. the principles of his former measures. When in June the secession occurred of Lord Stanley, Sir James Graham, and others from the ministry, the differences which had so long prevailed in the cabinet relative to the Irish Church having at length reached their climax, Mr. Poulett Thomson became President of the Board of Trade in place of Lord Auckland, who was removed to the Admiralty. The subsequent resignation of Lord Grey in July, and the accession of Lord Melbourne to the post of Prime Minister, made no further change in his position.

The autumn of 1834 was passed by him in the north of England, where he was for several weeks laid up by an attack of gout, which had by this time taken a very firm hold of his system. He was now rarely free from a fit for more than six months together.

In November occurred the dismissal of Lord Melbourne's ministry, and soon afterwards the formation of Sir Robert Peel's short-lived ministry. On the dissolution of Parliament at the close of the year, Mr. Poulett Thomson, then of course out of office, went down to Manchester, and was re-elected by a large majority.

Previous to the meeting of the new Parliament, Mr. Poulett Thomson took a very active part in preparing for the contest for the Speaker's chair, by which the session opened. It was chiefly through his solicitation that the repugnance of Mr. Abercromby to allow himself to be put forward as the

Opposition candidate for the chair was overcome, and his utmost exertions were employed to secure success to this move in the game of party. The result proved the correctness of his anticipations, and the choice made by the House of the present Lord Dunfermline, in place of Sir C. Manners Sutton, gave the first blow to the ministry of Sir Robert Peel. The further and increasing majorities against the minister, as the session went on, compelled his resignation; and on the return of Lord Melbourne to power, in the middle of April, Mr. Poulett Thomson resumed his office at the head of the Board of Trade, with a seat in the cabinet. 1835-6-7.

He was again elected for Manchester, though on this, as on every former occasion, the opponent party were not satisfied without trying their strength at the poll.

The ensuing session was protracted up to the beginning of September, and the consequence of its severe labours was, as usual, a fit of gout, which this time lasted nearly two months. Repose and the sea air of St. Leonard's restored him at length, and in November he returned to town, but was able to get to the sea again for the Christmas holidays.

The next year's recess was passed in a tour through Wales, Lancashire, and the north of England. In July of the subsequent year (1837) the death of William IV. and the accession of Queen Victoria having occasioned a general election, Mr. P. Thomson proceeded to Manchester, and was elected

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1837-8. for the fifth time in five years, the majorities in his favour having increased at every successive election. On this occasion the numbers were—

Thomson	-	-	4158
Phillips	-	-	3750
Gladstone	-	-	2281.

From thence he crossed the channel to Dublin, and spent two months in a tour through Ireland, the south of Scotland, and Northumberland, reaching town in the beginning of November, some time previous to the meeting of Parliament in that month. His tour in Ireland was chiefly for the purpose of forming an opinion, from actual observation, on the state of the poor there, with reference to the question of an Irish Poor Law, for which the government were pledged to bring in a Bill in the ensuing session.

We pass lightly over this period of Mr. Poulett Thomson's life, because from the date of his entry into the cabinet, and indeed from that of his taking office, his conduct on political and public affairs necessarily resolves itself to a considerable degree into that of the government of which he formed an unit. This is a sacrifice required of every public man, so long as he holds office. He loses his individuality to all outward appearance, being obliged to conform his conduct and even the expression of his opinions to whatever the majority of his colleagues determine upon. What passes in their private or cabinet consultations remains of course unknown, except from

1839. occasional rumours, since such private notes as may record these discussions are necessarily, as data for contemporaneous history, inviolable. Of this much, however, all who knew Mr. Thomson will be assured, that every opportunity afforded him by his position was made the most of, for the advancement of a truly liberal policy, both at home and abroad, for securing to the people all those substantial benefits which good government and good laws are capable of affording, and for realising the expectations which the Reform ministry held out on their accession to office.

In the extension of commercial freedom, however, he possessed the power, within the limits of his own department, of doing much good; and this power he exerted, with untiring zeal and energy, although in an unobtrusive manner. His name was not, during this period, often produced before the public. He took no very active part in the parliamentary debates on questions of party warfare. Indeed his services to the public interests throughout his career were chiefly rendered out of Parliament, in a form and manner which attracted no general attention at the time. But, though not paraded ostentatiously, as evidence of statesmanlike merit or subjects of national gratitude, they were nevertheless perhaps as valuable and important as any that statesmen of the highest reputation have ever achieved for the benefit of their country. They consisted in a close attention to the interests of our national commerce in all quarters of the world, —

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that commerce on which our wealth, our power, our greatness as a nation essentially rest,—in unceasing superintendance of the important business of the Board of Trade; in communications with the parties most interested and conversant with the various matters relating to our commercial and fiscal laws, and the alterations from time to time required in them; in a close attendance on parliamentary committees, and the examination at great length of evidence bearing on such questions.

Mention has been already made of his unremitting and successful endeavours to relieve the trade of the country from fiscal burdens and obstructions, and to cheapen the necessaries and comforts consumed by the masses, by simplifying the Tariff and reducing the import duties on almost every article in general use whether of colonial or foreign origin.

In pursuit of the same great objects, during the long period of his official service at the Board of Trade he lost no opportunity for endeavouring to improve the commercial relations of this country with the other nations of the globe.

Negotiations were set on foot and prosecuted with great zeal and vigour by him, in conjunction with and through the agency of the Foreign Office,—for the ready and zealous co-operation of Lord Palmerston was never wanting in the prosecution of such objects,—for effecting commercial treaties with, or arrangements for modifying the tariffs of France, Spain, Portugal, Prussia, Austria, Russia, Sardinia, and many other countries.

1839.

With respect to France, reference has been already made to the commission of 1831—1834. In the succeeding years the attempts to establish commercial arrangements of a more general and satisfactory nature between the two countries were renewed by Mr. Thomson.

In 1838–9 another joint commission was appointed at Paris,—consisting, on our side of the Right Hon. H. Labouchere, Vice-President of the Board of Trade, Mr. Aston, and Mr. Macgregor; on the part of France of the Baron Freville, Peer of France, M. Greterin, Director in Chief of the Customs, and M. David, Secretary of the Minister of Commerce,—to examine the tariffs of the respective countries, with a view to propose such reductions as should appear most likely to extend their mutual commercial intercourse. Ministerial changes in France unfortunately suspended the progress of this commission; and it was closed in May 1839, a conviction being come to by the British commissioners that the French government were unwilling to make any real concessions on their part, in return for those offered by Great Britain.

Various arrangements which promised beneficial results had, however, been made on both sides. The threatened increase of duties on linen yarns imported into France was deferred for two years. It has since been imposed. But the prospect of a favourable termination to the long-pending and often-interrupted negotiations for reciprocal relaxations in the commercial tariffs of England and

1839.

France is not yet hopeless; and if such a happy result is ultimately arrived at, it will have been owing in a very great degree to the foundation laid by the persevering efforts of Mr. Thomson.

With Austria, Prussia, and the other German States, Mr. Thomson made frequent efforts to extend our commercial relations. The Zollverein, or union of the several states of Germany with Prussia under a common tariff and system of customs laws, in 1833 and afterwards, was never regarded by Mr. Thomson with the apprehension and alarm with which it was viewed in many quarters. On the contrary, he clearly saw that a change which loosened the fetters hitherto shackling the industry of an European population of thirty millions, and gave room for the development of their natural resources, could not be otherwise than eventually beneficial to all neighbouring countries. It did not necessarily follow from a fusion of all the separate conflicting tariffs of Germany into one, that the character of that one should be more hostile to British interests than the medley preceding it; and, on the contrary, it afforded an available opening for the negociation, with the representatives of all Germany in a body, of a treaty of commerce offering new benefits to British industry. Mr. Thomson saw and determined to avail himself of this opening. He obtained from Mr. Macgregor, a gentleman fully imbued with his own views on international commerce, and thoroughly acquainted with the political and material condition of the

1839.

German States, a report on the effect of the "Union" on manufacturing industry in Germany, and on the sale and use of British manufactures there.

This report led Mr. Thomson to the conclusion, that to preserve and increase the long-existing trade between Great Britain and Germany, which in value is second to none except that between England and the United States of America, it was necessary to propose a reduction in our import duties on the leading articles of German produce, in return for similar concessions by the union in favour of British manufactures.

To pave the way for such an arrangement Mr. Thomson dispatched Mr. Macgregor in 1836, as British commissioner, to attend the Congress of Deputies from the several states of the union, which was held at Munich in August of that year for the purpose of revising the tariff of 1833.

The results of this mission would have been perfectly successful in obtaining large reductions of the German tariff in favour of British manufactures, had it been possible for concessions to be offered in return upon two points of great value to Germany, viz., CORN and TIMBER. Extracts from Mr. Macgregor's correspondence to that effect were read by Mr. Poulett Thomson in his speech on the Corn Laws in the session of 1839.* The reply he met with generally to propositions for an improved tariff in favour of England was this, "We are

* See Appendix.

1839. all desirous to trade freely with you, *but a reduction of your Corn duties to a fixed rate* must be the preliminary of any understanding as to a reduction on our part of duties on your commodities."

On this essential point Mr. Thomson's hands were of course tied, by the invincible resistance of the supporters of the British Corn Laws. Had there been any possibility of carrying a modification of those laws, such as a fixed duty of 8*s*. or even 10*s*. per quarter on wheat, it was Mr. Thomson's intention to propose a new treaty of commerce to the States of the Zollverein, which he had every reason to know would have been readily assented to by them, on terms highly favourable to British commerce and manufactures. The opinion he had entertained from the first of the Germanic Customs' union, was proved to be correct. It is not that union, but our own restrictive commercial legislature, especially our Corn duties, which check and diminish our exports to Germany.

In respect to Austria, Mr. Thomson's efforts to obtain improved commercial relations were, however, crowned with success. Mr. Macgregor had been commissioned likewise by him in 1836 to report on the resources of that great empire, containing a population of thirty-five millions, and to endeavour to lay the basis of a commercial treaty with its government. He found the authorities, especially that enlightened statesman Prince Metternich, fully alive to the immense elements existing

for a mutually beneficial commerce between Austria 1839.
and Britain, and to the wisdom of the principles of a liberal system of trade between them. The result was the negotiation and definitive arrangement of a commercial treaty between the two governments, which was signed in 1838 by Prince Metternich and Sir Frederick Lambe. This treaty established an entirely new tariff for all the Austrian Customs, sweeping away the whole prohibitive system of Maria Theresa and Joseph II., which had been considered by many of the prejudiced Austrians as the palladium of their industry. Its results have already been most beneficial, and must every year become more so, to British industry. To Mr. Poulett Thomson is due, so far as the British Cabinet was concerned, the exclusive merit of originating and perfecting this treaty.

One circumstance connected with it, and communicated by Mr. Macgregor, offers a remarkable instance of the wise decision and boldness with which Mr. Thomson habitually acted on any sudden emergency which required instant determination. An article relative to the navigation of the Danube being considered indispensable by Prince Metternich, who entertained ulterior views of the great advantages likely to arise to both Austria and England from the contemplated improvements in the navigation of that river, and Mr. Macgregor having reported that such an article would be in contravention of our navigation laws, the question

1839. was referred at a very late period of the negotiations to Mr. Thomson, who boldly took upon himself the responsibility of legalising such an agreement prospectively by Act of Parliament, and authorised Mr. Macgregor to consent to "a stipulation admitting Austrian ships arriving with their cargoes from the ports of the Danube, upon the same footing as if they arrived direct with their cargoes from the Austrian ports."

The letter conveying this assent arrived but the day before that on which the treaty was to be finally agreed to or relinquished; and upon the stipulation thus happily acceded to at the proper moment, depended the success of the negotiation. An act was subsequently passed legalising the article in question; but for which act, not only that treaty with Austria, but that likewise concluded in 1841 with the states of the Germanic Union of Customs, the treaty of the same year with the Hanseatic Republics, and the recent treaty with Russia, would all, in their most important stipulations, have been illegal, or could not have been concluded.*

* The importance to our commercial and shipping interests of the treaty of 1838 with Austria, is fully shown by Mr. Macgregor in the first volume, now just issuing from the press, of his elaborate and valuable work on "COMMERCIAL STATISTICS." This volume forms a vast storehouse of facts, all combining to teach one great lesson to governments; namely, that the wealth and strength of every country are mainly determined by the more or less liberal character of its commercial policy.

1839. Our commercial relations with Naples having been seriously injured by the sulphur monopoly, Mr. Macgregor was directed by Mr. Thomson to proceed to Naples to endeavour to arrange the difference, which, however, was not effected without great intervening loss and interruption to our trade, owing to obstacles beyond the reach of Mr. Thomson's influence, although the policy he pursued was ultimately successful.

Negociations were likewise set on foot by Mr. Thomson while presiding over the Board of Trade, for improving our commercial relations with Brazil, Portugal, Spain, and Italy; negociations which were incomplete when he left the office, and still for the most part remain so; but which, it is to be hoped, will come to maturity at no distant period. And the project of a highly practical and valuable treaty with Turkey was considered and proposed by him.

In the majority of these efforts of Mr. Thomson to improve our commercial relations with foreign countries he was unable to attain success, owing to the unfortunate system of restrictive policy which we had ourselves adopted at the close of the war, and had as yet but slowly and by piecemeal relinquished, and which had naturally disposed other nations to follow our example. The prosperity which, on the whole, English industry and commerce has enjoyed by reason of her extensive colonial empire, and the extraordinary natural advantages she possesses, were, through a very common

1839. error of reasoning, attributed by foreign countries to her restrictive system, which existed, it is true, contemporaneously with these advantages, but had incalculably checked and narrowed the development of which they were susceptible. And although, since the commencement made by Mr. Huskisson and Mr. Wallace, the government of this country has been gradually relaxing the fiscal obstacles opposed by legislation to the extension of British commerce, the progress has been so slow and apparently timid, each concession has been so reluctantly wrung from the legislature, and so large an opposing party has always existed, composed of classes who have or believe themselves to have an interest in the maintenance of protecting duties; and these have been so loud in declaiming and writing against free trade as inimical to native industry, and in favour of fiscal protections as essential to its prosperity, — that foreigners, who naturally look to us for instruction on questions of this kind, may well be excused for still hesitating between the two opposite opinions which yet agitate ourselves on this great question.

Above all, until we give up our protecting duties on raw produce, corn especially, it could hardly be expected of the great grain-producing countries of Europe and America, that they should enter cordially into arrangements for permitting the introduction of our manufactures. So long as we refuse to admit their staple productions on terms of fair

1839. reciprocity, at least, they will continue to maintain tariffs of a hostile character towards us.*

The important principle of free trade, to the advancement of which Mr. Poulett Thomson devoted every effort, could not, therefore, be generally and fully carried out without affecting interests too powerful for a Minister of Trade to touch, requiring the consent and co-operation of the entire government. And this he failed in obtaining, but not through want of energetic and persevering remonstrance.

On the Corn Law question especially, the citadel of the Protectionist party, it can be no secret that he exerted himself to the utmost for a series of years to induce the government to propose a change founded on the principles of a moderate fixed duty.

And, individually, he never lost an opportunity of advocating the same principle by his voice or vote. In 1827 and 1828, as has been shown, he supported Mr. Hume and a numerically insignificant section of the House of Commons in denouncing

* Extract of a letter from M. Anisson to Mr. Poulett Thomson.

(*translated*) "Paris, April 12, 1839.

"I have followed with great interest your discussions on the *Corn Laws*, and have seen with pain how little progress the question makes. This is a terrible argument against those who are struggling here for commercial liberty; and certain recent words of Lord Melbourne do not better our position when we attempt to base it on the experience of England. All this is saddening to those who have only at heart the triumph of truth, the general interests of humanity, and the progress and union of European society."

1839. the fluctuating scale then established, and recommending a low fixed duty in its place. In 1830, when called on to accept place under the government of Lord Grey, he declined it unless with the stipulation that he was to be at liberty to speak and vote for an alteration of the existing corn law. In 1834 he vindicated that right, and in the face of the cabinet, of many of his friends who strongly dissuaded him from the course, and of much public and private attack, he spoke powerfully in favour of such a change, in direct reply to his colleague in the government, Sir James Graham. In 1835 he joined the government again on the same condition, and in 1839 he spoke at great length and voted in favour of Mr. Villiers's motion for a committee.

His two speeches of 1834 and 1839, which will be found in the Appendix, contain the most unanswerable arguments upon this question, and in fact will appear, upon examination, to exhaust the subject, comprehending the substance of all that has been since so repeatedly, but never more ably or lucidly, put forward in spoken or written essays, by the recent and numerous advocates of the repeal of the Corn Law.

It was therefore in no degree owing to any lukewarmness or deficiency of zeal on his part upon this most vital question, that the delay took place in its advocacy by the government of which he was a member. That delay may be far more justly imputed, if blame exist any where, to the parties most directly interested in the question, the manufacturing and commercial classes, who so long slumbered over it, and could not be roused from their torpor by the remonstrances of Mr. Thomson himself, and other more far-sighted members of those classes, until the crisis which he and they anticipated had actually arrived, when the diminished demand of foreign nations, prevented by the Corn Law from becoming our customers, had brought on an amount of pressure and distress, threatening the decay and destitution of large portions of our manufacturing and commercial industry, which depend for their existence on foreign demand.

1839.

So long as this torpor existed, so long as the public out of doors appeared careless of the matter, Mr. Thomson could not but yield to the argument of his colleagues, which was based on the indisputable fact, that to bring it forward was to break up the government; and whilst other matters of great importance to the welfare of the people remained unsettled, and could be accomplished only by a liberal ministry, it appeared to him, and to those who agreed in his opinions, right to suspend their determination, and defer the irrevocable step of a ministerial declaration in favour of a great change in the Corn Law.

The occasion, as every one knows, arose after Mr. Thomson had left the cabinet and England, and the result was what he and all expected who knew the strong feelings of the agricultural party on the question, and their power over the legislature. Whether the great question has been

1839. advanced by this step cannot, however, be doubted. The very leaders of the opposing party now officially admit that the existence of the present or, indeed, of any Corn Law, is but a question of time. And when its Repeal, as sooner or later it must be, is finally carried, and the principle of free trade thereby established as the groundwork of our commercial and fiscal policy, it will be generally acknowledged that for this great conquest of truth and wisdom over folly and error, the country will have been indebted in a large degree to the perseverance, the energy, the ability, and the tact employed by Mr. Thomson in the slow but sure assault, by sap and mine, of this the last and strongest citadel of the Protectionists.*

* The intense interest felt by him, even while absent and engaged in other absorbing occupations, in the struggle making on this question at home is evinced by several passages in his private letters from Canada, — equally remarkable for the sagacity with which they anticipate all that has since occurred. On the 21st of March, 1841, he thus wrote to Lord John Russell: —

"Your finance is what I look to now with most anxiety. I have told Baring that I do not think you will make anything by trying to *patch*. He may either go to work in downright earnest with commercial reform, sugar duties, timber duties, corn duties, and thus get a large revenue by throwing over (*if he can*) landlords, merchants, West Indians, and Buxton and Co.; or he may come to a property tax.

"In the first case, nothing but a general and decided attack upon all these different monopolies — a sort of commercial reform bill — will give him a chance of success. In the second, the impossibility of doing this, must be his plea for taking that course. I feel satisfied that no little petty shifting of duties on one article or another, will give you anything like the revenue you want, and yet the attempt will probably be more troublesome than the greater measure. So, if I did not *dare*

1839. One of the valuable measures adopted by Mr. Thomson while he presided over the Board of

adopt either the one or the other really efficient course, I should recommend him rather to have recourse to a loan, than attempt such petty patchwork as I see is suggested in some of my letters from home. But I suppose you will have decided all this already."

Again, on the 25th of May, 1841, on learning the announcement made by the Chancellor of the Exchequer, Mr. Baring, in bringing forward the budget of that year, he writes thus: —

"You have taken a bold step, and I am all impatience to learn the result, which must of course have been ascertained by this time. But, whatever it be, I sincerely rejoice at your having taken your stand with the country upon a great, an intelligible, and, above all, a *practical* measure of reform. It has every thing to recommend it, in what it touches, and in what it lets alone. It does *not* meddle with religious prejudices; it does *not* relate to Ireland; it does *not* touch on any of the theoretical questions of government on which parties have so long been divided. It *is* a new flag to fight under, and must prevail eventually, whatever be its success now. The only criticism I should be disposed to pass on your proceeding, is the mode of introducing the question. I think you might have produced a greater effect if you had disconnected it from the budget; but, at a distance, it is not easy to judge of tactics, and that might have been impossible."

12th June. — "The last accounts I have make me think that the whole of your plan is likely to be upset by the Tories and the class interests. But, never mind. The seed is sown — and the flag of commercial reform is at last unfurled, and sooner or later it must triumph. The debate of the 18th May (my latest news) tells me nothing of what your course will be; but I trust, for your own sakes and that of the cause that you will not have abandoned the helm to the Tories upon the mere defeat upon the Sugar Duties, which was of course inevitable. It seems to me that, having once entered upon this new contest, you are bound to proceed with it. If they

1839. Trade, was the institution, in 1837, of the School of Design at Somerset House. The inferiority of

beat you on Sugar, give them Timber; if they beat you on that, give them Corn. The discussions must benefit you, and *must* injure them. And when beaten on all, and your course of policy fairly before the country, test it with a dissolution, which though it can scarcely be expected to give you a majority, or render resignation unnecessary, will at least have ranged parties under the new banners, both on one side and the other, and enable you *to force your measures on another government*, should your own not get back."

"I consider Lord John's speech on opening the Sugar Duties as the crowning work even of his mind. He stands, indeed, in a glorious position. After having done so much to remove the restrictions upon opinion, and established civil and religious liberty, he now stands forward as the Champion of Commercial Freedom, and has boldly and unanswerably vindicated the rights of the masses against the monopolies of classes. Whether the attempt succeed or fail *now*, he will have done for the every-day *material* interests of the country that which he before did in the interest of freedom of opinion; and no man before him ever did so much against such fearful odds."

To Lord John Russell himself he writes on the same date,

"I have read your speech upon opening the debate on the Sugar question with feelings of admiration and pleasure which I cannot describe. The free-traders have never been orators since Mr. Pitt's early days. We hammered away with facts and figures, and some argument; but we could not elevate the subject, and excite the feelings of the people. At last, you, who can do both, have fairly undertaken it, and the cause has a champion worthy of it. I regret that I am not once more on the Treasury Bench to enjoy the triumph, and lend my small assistance in the fight; but you do not want it; and it is most gratifying to me to hear from you that I have been of some service to you here at least."

"It seems to me to be an immense point gained to get a new flag under which to fight. The people of England don't care a rush for any of your Irish hobby-horses, and they are

1839. our manufactures in the essential quality of beauty and taste of pattern, to those of the French and

not with you upon Church matters, or grievances of that kind. Even the great success of our foreign policy has not touched them the least, and I doubt whether twenty victories would give you a borough or a county. But you have now given them an intelligible principle offering practical benefits to contend for; and though defeated on it, as you doubtless will be, defeat will be attended with reputation, and will make you, as a party in the country, far stronger than you have been of late."

Upon learning the commencement of the elections, he writes to his brother, 12th July, 1841,

"I am sorry, for your sake, that Lord John quits Stroud; but I honour and admire him more than ever for throwing himself thus into the thick even of the Election Battle. He is, indeed, a LEADER. I wonder how long and often Peel would have weighed matters before he had consented to such a thing! The liberal party ought to buy him an estate, or build him a house, or erect him a statue of gold. As for me, who am in general not given to enthusiasm, I cannot find terms for my admiration of his whole conduct. He seems to rise with every difficulty, and each speech or act seems unsurpassable till the next comes, and you find it still superior to its predecessor."

And on the 11th August,

"The last accounts have brought me the conclusion of your elections, which are worse than I was led to expect. But after all it was impossible to look for much more, with such a host of interest arrayed against you, and only the "*unprotected public*" for you. Morpeth's defeat in the West Riding is the worst in effect, as it gives the Tories fair grounds for asserting that the manufacturing interests are divided upon your measures. The Yorkshire clothiers and flax-spinners deserve to be ruined for their folly. And they stand a good chance of being so, I am afraid; for it certainly would appear that between the difficulty of getting returns for goods, caused by our exclusion of foreign articles, and the immense increase of manufacturing power abroad, the depression and distress of trade in England

1839.

some other nations, had long been acknowledged as a great disadvantage in our competition with them, in both the home and foreign market. This inferiority was justly attributed to the want of some means of instruction in the art of design as adapted to manufactures, open to such persons as were willing to apply themselves to this branch of art. In France, Bavaria, and Prussia, public schools had long ago been established for this purpose by the respective governments; and hence the superiority of the continental manufactures in this respect.

The public voice has long since acknowledged the great benefits likely to result, and partly realised already, from this institution; and the friends of art and of our manufacturing industry will no

is not likely to be relieved by leaving things alone — the Tory remedy.

"I am too much broken in health to take much more than the interest of a spectator in the political struggle, if there be one, next session; and I shall not be at all sorry for the opportunity of trying by quiet and amusement to save the remains of my constitution; but I cannot but feel deeply anxious about the country, and I am very gloomy as to its prospects. *The evil which ten years ago I predicted, if we did not liberalise our commercial policy, has fallen on it.* We have successful rivals everywhere, and friends nowhere. Even the bold and gallant struggle you have made is misrepresented, and attributed, not to its true motive, a conviction of the truth of the principles of free trade, but the desire to *mislead* other nations, and prevent them from following you in your (*successful*!!) policy of protection and prohibition. That, however, is no excuse for the folly and ingratitude of the English people, for which they will pay dearly if I am not mistaken."

1839.

doubt always be ready to acknowledge their obligations to its founder.

The principle of affording a copyright in designs employed in manufactures, (without which, indeed, those engaged in this branch of art could have no prospect of fitting remuneration,) was likewise considered, and would no doubt have been introduced by him to Parliament, as has been since successfully accomplished by Mr. Emerson Tennent, had he remained long enough at the Board of Trade. He laboured, but in vain, also to persuade America and France, and other foreign countries, to admit the principle of international copyright. He had with this view introduced into Parliament, in the session of 1838, and successfully carried into a Law, a Bill for enabling the Government to make treaties with foreign Powers for this very desirable purpose.

His endeavours to extend the warehousing system, first at the sea-ports, and secondly, to the inland towns, were constant. Reference has been already made to the acts of the 3 & 4 William 4. c. 56. and 58., brought in by him for the former purpose. The warehousing department has since the passing of these acts become by far the most important in the whole circle of our fiscal arrangements. Its importance can best be judged of by the fact, that the duties alone payable on the goods at any time under the Queen's lock in the several bonded warehouses in the kingdom have been estimated at upwards of fifty millions! The

1839. attempt to establish bonding warehouses in inland towns has not yet been successful.

The enumeration of the public services of Mr. Poulett Thomson while engaged at the Board of Trade might be considerably extended, were it not desirable to avoid details which would be tedious. It was his anxious desire to enlarge and complete the sphere of usefulness of that Board, and to render it, as a ministerial department, worthy of the great commercial empire of Britain. He took measures for placing under its superintendence the regulation of the important internal lines of traffic and communication, the Railways of the island, which sprung into existence only during his administration. He established a system for a preliminary examination of the private bills brought before Parliament; and especially of the applications for the grant of charters to associations. In conjunction with Lord Auckland, then President, he organized, in 1832, a special department in the Board of Trade for collecting, preparing, and printing digests of the statistics of the empire; and selected for its conduct Mr. Porter, to whose valuable labours the public are so greatly indebted for these indispensable materials of a correct judgment on all questions of national economics. His views in fact of the proper duties of the office comprised a general system of supervision and regulation of all the legislative, fiscal, and diplomatic arrangements, that bear upon our foreign, colonial, and home

trade, and thereby largely determine the wealth, 1839.
the power, and the prosperity of the empire.*

* Since the above was in type, the Editor has received the following letter from Sir Denis Le Marchant, containing a fuller statement of some of Mr. Thomson's efforts to enlarge the sphere of usefulness of the Board of Trade than has been given above, upon the authority of one who assisted him in these valuable labours with a zeal for the public interests emulous of his own.

"Harley Street, 4th May, 1843.

"My dear Sir,

"I have read your memoir with the deepest interest: you have done *no more* than justice to Lord Sydenham's memory. It would require all the bitterness of political hostility to deny that he was entitled to all the credit you claim for him; nay, he was entitled to more, for you have but slightly touched one point on which the country is under the greatest obligation to him,—viz. his attention to the private business of the House of Commons. He was, I believe, the first minister who awakened the House to a sense of their responsibility in this branch of legislation. He saw that the conflict of private interests was not a sufficient security for the public; his experience in trade alone having shown him instances where private bills had been made the means of largely and most unjustifiably enriching individuals at the expense of the country. Accordingly he subjected all such bills that related to trade, or that bore in any way on the province of his department, to the strictest supervision; the result of which was, that the investigation previously conducted most imperfectly, perhaps dishonestly, by the committee of the House, took place at the Board of Trade, where the parties attended before him, and underwent the examination he deemed necessary. Some of these inquiries, in the case of harbours and trading companies, consumed much of Mr. T.'s time; and from the discrepancy of the evidence, and the eagerness of the parties, were, as he often said, the most unpleasant parts of his duty. I can vouch for the truth of this observation, as I was always present on these occasions, and had the department under my own peculiar charge. It was also very disagreeable

1839.

In the early part of the year 1836 Mr. Poulett Thomson had found his health so seriously affected

to him, after satisfying himself of the course which the House ought to pursue in these cases, that he encountered violent opposition from members, whom the interests of their constituencies had enlisted on the opposite side. Gradually, however, he obtained general support in these debates, even from his political opponents, especially when it was perceived that he allowed no political feeling to influence his decision, the public welfare being his sole object. In fact, his disregard of all personal and political considerations in the discharge of his duty was ever most honourable to him.

"His attention to private bills did not stop here,—he endeavoured to obtain an alteration of the form in which they are framed; and under his eye his secretary, Mr. Symonds, prepared the valuable and voluminous papers on the construction of Acts of Parliament which were printed by order of the House in 1836. The recommendations of this report have been partially adopted, and have been of great service; and it was at the suggestion of Mr. Thomson, whilst engaged in these inquiries, that the Breviates of private bills were introduced, this being only part of the extensive reform he contemplated.

"You have noticed his attention to charters and letters patent. Before his time all charters were issued by the *Home* Office; and of course that department not having the means of obtaining accurate information on economical matters, they exercised their jurisdiction very loosely. He made the Board of Trade responsible, and took the most anxious care that the public interests should receive adequate protection. Many were the applications from banks at home and abroad which he rejected. He framed a set of rules or conditions to be inserted in their charters for security against the misappropriation of the capital, that must have saved the fortunes of many individuals embarked in such concerns from destruction. With the view of preventing unnecessary applications to Parliament for private bills, he brought into Parliament the Letters Patent Act, which he would afterwards have extended, but his bill for that purpose was defeated.

"Yours most truly,

"Denis Le Marchant."

1839.

by the long night sittings in the House of Commons, that he began to consider the necessity of some change from the position he then occupied to one which should be more compatible with his physical powers. The most obvious mode of accomplishing this end was by a removal into the House of Peers, retaining his office. Circumstances, however, for a time put a stop to this plan. But at a later period of the session, when, after the ineffectual attempt of Sir Robert Peel to form a ministry in May, the government of Lord Melbourne had to be reconstructed with alterations in its composition, he renewed his wish to make some change in his own position. And in discussing the idea with his friends, the government of Canada was mentioned as a post that might be open to him. In conversation with Lord Spencer (his oldest and warmest political associate and friend), the latter recommended him to accept this noble task. And Mr. Thomson's private journal quotes one of the expressions he made use of, and which deserves to find a place here, as characteristic of the real motive and spring of the public conduct of both men. "Lord A. said he thought Canada 'the finest field of exertion for any one, as affording *the greatest power of doing the greatest good to one's fellow-creatures.*' I agree with him."

It was by this consideration, no doubt, that his determination was guided, when, towards the close of the session, new ministerial arrangements being in contemplation (consequent partly

1839. on Mr. Spring Rice's elevation to the peerage, and appointment to the comptrollership of the Exchequer), he had to make choice between the Chancellorship of the Exchequer, and the Government of Canada, which were offered to him. Either alternative presented disadvantages perhaps of equal force as respected health. The continued fatigue of attendance in the House of Commons was likely to be quite as injurious in the one case, as the severity of a northern climate would be in the other. His decision was therefore chiefly influenced by the feeling of where he could make his abilities and energies most useful. The situation of affairs in Canada was perplexing, and the difficulties great in the way of an harmonious settlement of the all-important question of the union of the provinces, and the establishment of an entirely new constitution for their future government. But Mr. Thomson felt confident of being able to surmount these difficulties. He expressed this confidence repeatedly to his private friends. And the result justified his most sanguine anticipations.

In truth his character and experience exactly fitted him for the purpose. He possessed the great qualities of tact and judgment in determining the course to be pursued; firmness and decision in the execution of his resolves; great quickness of perception as to the character and capacity of those with whom he had to deal, and a courteous and conciliatory manner which charmed all with whom

1839. he came in contact. Added to this, untiring energy and application, habits of business, information of the most extensive kind, and a perfect knowledge of the position of affairs in Canada, and of the sentiments of the Home Government upon it, acquired during his attendance in cabinet councils where these matters were discussed. Lastly, although perhaps first of all in importance, he had enjoyed an experience of many years in parliamentary tactics, and the mode of carrying through public business in a popular assembly, of incalculable value to the particular object of his mission to Canada; namely, the establishment of a new representative system, such as would be likely to work in harmony with the Home Government and Imperial Parliament. His liberal principles and known public character were guarantees also to the people whom he went to govern, that their welfare would be the first and principal object of his labours.

It was determined, in the changes of administration made at the same time, that Lord John Russell should take the seals of the Colonial Office. This was a matter of immense importance to Mr. Poulett Thomson, as his confidence in and attachment to that noble Lord were ever unlimited, and he knew that he could depend upon having the support and sanction of his chief under every difficulty that might arise in the execution of his duties.

The example of Lord Durham was a beacon to warn him of many of these difficulties; and the

1839. mass of information collected by that noble Lord, and the able coadjutors by whom he was accompanied, and embodied in his voluminous Report, offered him no doubt very material aid in the determination of his future policy. With Lord Durham himself his personal friendship had never ceased; and from him, as well as from Mr. Buller, he received whatever other information they had it in their power in private and friendly communications to afford.

In consequence of the arrangement thus determined on, on the 27th August, the day before the prorogation of Parliament, a new writ was moved for Manchester, on Mr. Poulett Thomson's acceptance of the post of Governor-General of the British Provinces in North America *; and on the same day he issued his farewell address to the constituency between whom and himself so long and intimate a relation had existed;—a relation which had proved a source of reciprocal pride and honour to both the constituent body and their representative.

On the 29th of August he was sworn into his new office before the Privy Council, and on the 5th September he had an audience of the Queen to take leave, who graciously expressed her conviction that he would be successful in the great object of his

* In the terms of Her Majesty's commission, the appointment was that of "Governor-General of British North America, and Captain-General and Governor-in-Chief in and over the Provinces of Lower Canada and Upper Canada, Nova Scotia, New Brunswick, and the island of Prince Edward, and Vice-Admiral of the same."

mission, and her desire that he should re-enter her service at home on his return. 1839.

On the 13th (his 40th birthday), his preparations being completed, Mr. Poulett Thomson embarked at Portsmouth in the Pique frigate for his destination in Canada. He appeared to keep up his spirits admirably; but some of his relatives who accompanied him for a few miles to sea in Lord Durham's yacht, observed and long remembered the last looks with which he quitted them, and the expression of his countenance which told the struggle within: a presentiment came over them that they saw him for the last time, and it was evident that he shared in the feeling. His health was, indeed, much shattered at this time by continued attacks of gout, one of which seized him the day after his embarkation; and the passage, which was very rough and unpleasant, was a period of much bodily suffering. An entry in his private journal, written when on board three or four days, will exhibit his view of the state in which he left public affairs, and of his own prospects.

"Saturday, 21 Sept. 1839.—I have thought a good deal within the last few days of my position; and upon the whole I think I have done right, both on public and on personal grounds. I have a better chance of settling things in Canada than any one they could have found to go; and if I had not taken it then, as I could not well have got out of the government, I should have shared in the disgrace next session. It is a *great field*, too, if I bring about the union, and stay for a year to meet the

1839. United Assembly, and set them to work. On the other hand, in England there is little to be done by me. At the Exchequer all that can be hoped is to get through some BAD tax. There is no chance of carrying the House with one for any great commercial reforms, *timber*, *corn*, *sugar*, &c.; party and private interests will prevent it. If Peel were in, he might do this, as he could muzzle or keep away his Tory allies, and we should support him. If he got in and had courage, what a field for him! But he has *not!*

"On private grounds I think it good too. 'Tis strange, however, that the office which was once the object of my greatest ambition (the Exchequer) should now be so disagreeable to me that I will give up the Cabinet and Parliament to avoid it. After all, the House of Commons and Manchester are no longer what they were to me. I do not think that I have improved in speaking—rather gone back. Perhaps in Opposition, with more time to prepare, I might rally again; but I do not feel sure of it. I am grown rather nervous about it. The interruption and noise which prevail so much in the House *cows* me. I have certainly made no good speech for two years. It is clear, from what has passed, I might have kept Manchester as long as I liked. But till put to the test by my leaving it, one could not help feeling nervous and irritated by the constant complaints of not going far enough or going too far. The last three years have made a great change in me. My health, I suppose, is at

the bottom of it. On the whole I think it is as well as it is." 1839.

Another passage may merit extraction, as affording an insight into the secret sources of political eminence, in the estimation of one who so unquestionably attained it.

"Read Life of Sir James Mackintosh. It is a melancholy picture of talents—not misapplied, for he did good—but failing to produce the effect they ought, either for the public or their possessor. With all his powers he never achieved eminence—for want of perseverance. What a lesson! My recollection of him certainly does not justify the high reputation which he seems to have had among distinguished men who were his immediate contemporaries. But life, and especially the life of public men, has been far more active of late years; and his character was not that of an active man. He was more fitted to embellish society at Holland House, when there was *time* for literary and philosophical discussion, than for the duties of an active statesman in these later days, or even for the conversation of those who now form society in the political circles in which I move, and which he then moved in. It is strange though that I, who never had half his recommendations to the Whig aristocracy, and not a tithe of his talent, nor a hundredth part of his information, should have been in office with him as his superior, and for five years a Cabinet Minister. I believe that the cause of this is to be found in the dependence of the one

1839. and the independence of the other. The knowledge that I wanted not office for the sake of money, nor patronage to procure me a seat, has done for me that which his superior talents and knowledge, wanting both, could not do."

After a rough voyage of thirty-three days, the Pique anchored under the walls of Quebec; but the Governor-General was obliged to delay his landing until the arrival of Sir John Colborne from Montreal, which was not until the second day. On the 19th of October Mr. Thomson, on landing, was received with the usual honours, and immediately sworn into office. The reception he met with from the inhabitants was most cordial, and augured well for the success of his mission. This was the more agreeable to him, as circumstances had rendered it not improbable that a contrary feeling should exist in the colony.

His appointment to Canada had, of course, been canvassed by the London press, and by that party among the colonial interest which had always been at issue with him on the questions of undue and extravagant differential duties for their supposed protection it had been protested against. The usual weapons of abuse, ridicule, and calumny were levelled at him personally; and after he left the country, this continued for some time; a portion of the press exerting themselves, to all appearance, to prejudice his chance of succeeding in his mission, and frustrate the great national objects which he went out to accomplish. An address

even was got up to the Prime Minister, and signed by several of the merchants of London interested in the timber and Canada trade, deprecating Mr. Thomson's appointment. Even some of his *soi-disant* friends, who feared, perhaps, that their intrigues or private interests might be thwarted by his activity in the province, joined in this illiberal and ungenerous conduct. 1839.

The effect, however, of these attacks was exactly the reverse of what their authors probably expected. The papers containing them had, of course, found their way to Canada before the Governor-General's arrival there, and had created rather feelings of disgust at their evident injustice and illiberality, and the assumption displayed in them, than any sympathy with the sentiments they contained. Upon landing at Quebec on the 19th October, he found a very strong impression prevailing in his favour. The great bulk of the inhabitants were prepared to receive him not merely with the respect and honours usually paid to personages occupying so high a station as the representative of royalty, but with a spirit of cordial regard, and a sanguine anticipation of the future results of his policy.

The merchants especially, who form a considerable portion of the higher ranks in Quebec, felt no little pride in receiving a Governor-General who had himself been bred to business like their own. And they welcomed him with an address from their body, expressing this natural sentiment, and their high expectations of the results of his government,

1839. arising from their knowledge of his public character. Such a compliment had never been paid to any preceding Governor. His first levee, at which this and other addresses were presented, was more numerously attended than on any previous occasion.

After a stay of a few days in the ancient castle of St. Louis, he proceeded to Montreal, where, since the second rebellion, the seat of government had been fixed.

And here the real business of his Administration commenced.

PART II.

ADMINISTRATION OF LORD SYDENHAM IN CANADA.

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IN

CANADA.

Before entering upon a narrative of Lord Sydenham's administration, it will be necessary, in order to an understanding of the measures which he adopted, and the results which attended them, concisely to review the state of Canada at this period.

The country included within the limits of Upper and Lower Canada was ceded to Great Britain by the treaty of 1763, as the fruits of the victory gained by Wolfe on the plains of Abraham. At the date of the cession there was scarcely any settlement fifty miles above Montreal, and even from that point downwards the settlements were almost entirely confined to the banks of the St. Lawrence and its tributary streams.

The country was governed and the lands held under the French law, known by the name of the Coutume de Paris,—a system of which the remaining traces were effaced in Europe by the French Revolution. By the terms of the capitula-

tion of Quebec the inhabitants had been secured in the possession of their property and their privileges, and in the enjoyment of their religion, and immediately after the conclusion of peace a proclamation issued, promising the future establishment of a representative form of government, and in the interval guaranteeing to the King's new subjects the benefit of the laws of England.

At this time the population of Canada did not exceed 70,000 souls; and during the years which immediately succeeded, while, in the absence of all legislation on the subject, the laws of England were in force by virtue of the royal proclamation, considerable progress was made towards the introduction of British customs and feelings. Nor were there any complaints at that time of the hardship of such a policy. On the contrary, the people, too happy to be relieved from the iron despotism of France, and grateful for the protection extended to their religion and property, appear to have been prepared cheerfully to accept such modifications of their existing institutions as the British government might think necessary. Even until a comparatively recent period they continued to retain a lively sense of the contrast between the French and the British governments, and of the advantages which they derived from their transfer in 1763 to the latter.*

* The following extract of a speech, delivered by Mr. Papineau at his election in July 1820 for the west ward of the city of Montreal, will conclusively prove the assertion in the text:—

In 1774 the government was placed on a more regular footing by the act of the 14th Geo. 3., com-

"Not many days," said Mr. Papineau, "have elapsed since we assembled on this spot for the same purpose as that which now calls us together — the choice of representatives; the opportunity of that choice being caused by a great national calamity — the decease of that beloved Sovereign who had reigned over the inhabitants of this country since the day they became British subjects: it is impossible not to express the feeling of gratitude for the many benefits received from him, and those of sorrow for his loss, so deeply felt in *this*, as in every other, portion of his extensive dominions. And how could it be otherwise, when each year of his long reign has been marked by new favours bestowed upon the country? To enumerate these, and to detail the history of this country for so many years, would occupy more time than can be spared by those whom I have the honour to address. Suffice it then at a glance to compare our present happy situation with that of our fathers on the eve of the day when George the Third became their legitimate monarch. Suffice it to recollect that under the French government, (internally and externally arbitrary and oppressive,) the interests of this country had been more constantly neglected and mal-administered than any other part of its dependencies. In its estimation, Canada seems not to have been considered as a country which, from fertility of soil, salubrity of climate, and extent of territory, might have been the peaceful abode of a numerous and happy population, but as a military post, whose feeble garrison was condemned to live in a state of perpetual warfare and insecurity, frequently suffering from famine, without trade, or a trade monopolised by privileged companies, public and private property often pillaged, and personal liberty daily violated; when year after year the handful of inhabitants settled in this province were dragged from their homes and families, to shed their blood, and carry murder and havoc from the shores of the great lakes, the Mississippi and the Ohio, to those of Nova Scotia, Newfoundland, and Hudson's Bay. Such was the situation of our fathers: behold the change! George the Third, a sovereign revered for his moral character, attention to his kingly duties, and love of his sub-

monly called the Quebec Act, by which a council was appointed, possessing, with the governor, legislative powers in all matters except taxation. At the same time the most perfect toleration was secured to the Roman Catholic priesthood and laity; even the oaths of abjuration and supremacy being in their case replaced by a modified form of oath of allegiance.

Had the act proceeded no further all would have been well: the amalgamation which had begun between the two races would have gone on without difficulty or interruption, and the institutions of the country and the feelings of the people would, without any severe shock, have been gradually Anglicised.

jects, succeeds to Louis XV., a prince then deservedly despised for his debauchery, his inattention to the wants of his people, and his lavish profusion of the public monies upon favourites and mistresses. From that day the reign of the law succeeded to that of violence. From that day the treasures, the navy, and the armies of Great Britain, are mustered to afford us an invincible protection against external danger. From that day the better part of her laws became ours; while our religion, property, and the laws by which they were governed, remain unaltered. Soon after are granted to us the privileges of its free constitution; an infallible pledge, when acted upon, of our internal prosperity. Now religious toleration; trial by jury (that wisest of safeguards ever devised for the protection of innocence); security against arbitrary imprisonment, by the privileges attached to the writ of Habeas Corpus; legal and equal security afforded to all, in their person, honour, and property; the right to obey no other laws than those of our own making and choice, expressed through our representatives:—all these advantages have become our birthright, and shall, I hope, be the lasting inheritance of our posterity. To secure them let us only act as British subjects and freemen."

But about this date began the discussions with the American provinces; and British statesmen, frightened at the independent and democratic spirit which had there sprung up, seem to have considered it a wise policy at any price to raise an impassable barrier between the New England States and their neighbouring fellow-subjects of French origin. Accordingly the act of 1774, in addition to the provisions already noticed, re-established the French civil law in all the conceded parts of the province in which, since the treaty of Paris, it had been supposed that the English law prevailed. The English criminal law alone remained. The necessary effect was to arrest the tendency to assimilation which had begun to show itself—to revive and perpetuate those French institutions which had preceded the conquest, but which had begun to disappear — and to turn back the sympathies of the Canadians from their fellow-subjects of English descent to their ancestral connections, subjects of the French crown. No surer way could have been found of preventing a community of feeling between Canada and the adjoining British colonies; but, although such a policy might have an ephemeral convenience, it contained within itself the seeds of permanent evils, the results of which we feel at the present day.

The constitution of 1774 lasted 17 years; and during the revolutionary struggle, which occupied a large portion of that period, the French Canadians displayed an unflinching attachment to the British crown. But in 1791, still further to secure their

attachment, and to leave them nothing to envy in the institutions of the revolted provinces, the Imperial Parliament consented, in deference to the applications of a portion of the inhabitants, principally the English merchants who had now settled in Quebec and Montreal, to confer on Canada a legislature, framed after its own likeness, and invested with its own attributes. In imitation of the Parliament of Great Britain, the Canadian legislature was to consist of its representative Assembly, elected by 40*s.* freeholders (tantamount almost to universal suffrage), and its Council, nominated by the Crown; while, to draw still closer the resemblance between the latter body and the House of Lords, the seats in it were declared to be for life, and the Crown was authorised to make them hereditary, and to annex to them hereditary titles. This authority, however, was never acted on.

It is probable that the British Government did not at first contemplate a division of the province, but merely an extension of the system established by the act of 1774. But such a scheme naturally created much alarm among the French Canadians; who in a memorial presented to the Crown, and dated in December 1778, thus expressed their feelings: —"It is our religion, our laws relative to our property, and our personal surety in which we are most interested; and these we enjoy in the most ample manner by the Quebec Bill. We are the more averse to an House of Assembly, from the fatal consequences which will result from it. Can we, as Roman

Catholics, hope to preserve for any length of time the same prerogatives as Protestant subjects in a House of Representatives? and will there not come a time when the influence of the latter will overbalance that of our posterity? In this case should we and our posterity enjoy the same advantages which our present Constitution secures to us? Again: have we not reason to dread lest we should soon see those taxes levied upon the estates which are at present actually levied upon articles of commerce, which the inhabitant pays indirectly it is true, but in proportion to what he consumes? Shall we not fear that we may one day see the seeds of dissension created by the Assembly of Representatives, and nourished by those intestine hatreds which the opposite interests of the old and new subjects will naturally give birth to?"

It was apparently to obviate these objections, some of which have been remarkably verified, and to conciliate all parties, that the division of the province was resorted to, the boundary being drawn at the point where the grants of the French Crown, and consequently the French settlements, ceased. The country west of that point was to be governed exclusively by English laws and customs, and the lands held on the tenure of free and common soccage; the country to the east, as far as it had been already conceded, continuing to be held on the French tenure. Thus was apparently secured to each class of the King's subjects, within this portion of his dominions, the free and unrestricted

enjoyment of its own peculiar laws, language, and religion.

Plausible as were the arguments by which this arrangement was recommended, its defects did not escape the Opposition of that day. They pointed out the impossibility of excluding British settlers from the French portion of Canada, and its impolicy, even if it were practicable. They predicted the war of races which must inevitably arise, and the sense of nationality which would be kept alive by the isolation of the French Canadians. Nor, as they observed, was the scheme even consistent with itself, for while professing to separate the French Canadians from their fellow subjects of British origin, it also made provision for the future settlement of the latter within the French division of the province.

The efforts of the Opposition were unavailing, and the bill passed. Experience has since verified the predictions of Mr. Fox and his supporters, and to the legislation of that date may be attributed most of the difficulties which during twenty-five years embarrassed the march of public affairs in Canada. But at first the system appeared to work well. In Lower Canada the French Canadians, a kind-hearted, religious, and hospitable race, but remarkable rather for simplicity and cheerfulness than for the energy and self-assertion of the British colonist, and neither understanding nor desiring self-government, took little interest in politics, and were unconscious of the power which the new institutions placed in their

hands. Their revenue was small, and as any excess of expenditure beyond the permanent appropriations was defrayed out of the British treasury, there was no demand upon them for supplies, nor consequently did they interfere with financial questions. They appear to have trusted entirely to the good faith of the government, allowing their constitutional prerogatives to become worse than a cypher in their hands — powerless as a means of advancement, although an obstacle to any innovation or improvement on the part of the executive.

In Upper Canada the population at this time consisted principally of English families, who during the struggle for American independence had sided with the British government, and to whom, their estates having been confiscated by the victorious party, the British government had offered an asylum in the newly created province. Martyrs of an unflinching loyalty, and of attachment to the British constitution in the country of their birth, these settlers naturally, in their new abode, clung closer to the faith for which they had so long fought and suffered; — while, being inconsiderable in numbers, and wholly occupied in repairing their recent losses, and struggling against the difficulties of a first settlement in a new country, they had neither time nor attention to devote to political contests.

This state of things lasted without inconvenience until the commencement of the second

American war. The inhabitants of both provinces, removed from the contests which were desolating Europe, and secured by the navies of Great Britain from foreign aggression, continued to grow in numbers and in wealth,—their attachment to the mother country nourished by pride in her victories, and by gratitude for her protection. Accordingly when the war broke out, no hesitation tarnished their courage, or threw a suspicion on their loyalty. With a self-devotion that has never been surpassed, the inhabitants, whether of French or English origin, flew to arms in defence of their country and institutions. The struggle was short, but in the course of it none displayed a more determined bravery or devotion, joined to a natural aptitude for military service, than the French Canadians. The proof of their courage and military skill is written in the battle of Chateauguay, while to the loyalty and courage of the Upper Canadians the heights of Quecnstown bear imperishable testimony.

But events were now occurring in Europe, the remote consequences of which affected most seriously the Canadian provinces, and which, while they have constituted in great measure the causes of their rapid advance, brought with them likewise those political contests which always attend the progress of free states. Hitherto the population was still small, and was in the course of augmentation only by its natural increase. So long as this was the case there was nothing in either province to alarm the older inhabitants, nor could the

competition for place or power become very formidable. The rising generation were not likely to quarrel with the system under which they had been brought up; or if a more turbulent and energetic individual at times arose, it was easy, by well-timed concession, to disarm his opposition, if not to secure his support. Even the struggle for official employment, which in a young country is commonly the source of the jealousies and dissensions which give rise to the earliest discontents, had hitherto been spared to Canada. The choice of the government had been necessarily confined in Lower Canada to the English inhabitants, who alone spoke the language and understood the constitution of the mother country, and in Upper Canada to the few leading families among the refugees from the United States. But when the peace of 1815 let loose those masses of population which had been tied up in the war, and still more when the commercial and agricultural crisis which followed forced many who had hitherto held respectable stations in the mother country to emigrate to her dependencies, a new and more active spirit began to show itself in Canadian politics. Among those who emigrated to Canada were many men of excellent education, of great energy, of considerable means, and of practical knowledge of the world. These men who had but little sympathy with that Franco-Canadian nationality which in the Lower province it had been the policy of the Constitutional act and the pride of the people to maintain, and who

brought with them no innate respect for the existing authorities of the Upper province, naturally looked to acquire in their new country at least an equal, if not a superior, standing to that which they had left. But they soon found that while in Lower Canada their professional prospects were injured and their commercial speculations circumscribed by by French laws and regulations, in Upper Canada they had little chance, without local connection, of obtaining either employment or influence. Against such a state of things they naturally protested, and the agitation produced by their existence at once broke up the calm which had before prevailed. In Lower Canada the French Canadians took fright at the increase of power which the English minority derived from the numbers and energy of the new comers. In Upper Canada the old settlers foresaw in them the most formidable competitors for that station and influence which hitherto had been restricted to themselves. Thus was created in both provinces an active opposition to the government, with this difference, that while in Lower Canada the new comers being of the same origin as the office-holders, the opposition consisted of the original inhabitants, in Upper Canada it was composed principally of the new settlers.

The spirit of opposition once aroused, it was not difficult to find opportunities for its exercise. The Assemblies were suddenly awakened to a sense of their powers and importance, and the change was assisted by the demand which the mother country,

in the embarrassments consequent on the war, now made for the first time, that they should defray from local revenues such of their expenses as she had hitherto paid from the Imperial Treasury. Discussions arose as to the manner in which the supplies thus called for should be voted, and as to the constitutional right of the Crown to certain revenues independently of the local legislature. The discussions spread to other subjects, and the representative branch soon found itself in either province at issue with the executive.

It would have been natural to expect that in colonies, the constitution of which was modelled on that of Great Britain, the executive government, on finding itself opposed by the popular body, would have adopted some course analogous to that by which, in the mother country, the harmony between the Crown and the House of Commons is maintained. But unfortunately the principle, that the executive government should be in harmony with the representative body, which in the mother country is a truism, had not only never been recognised in Canada, but when put forward had been resisted, and denounced as democratic, revolutionary, and almost treasonable. The arguments fairly arising from the distinction between the supreme power of the Imperial Parliament and the subordinate functions of the Colonial Legislature had been pushed far beyond their legitimate limits, until the co-operation of the latter with the local executive seemed to be considered a matter almost of indiffer-

ence, or at any rate not of sufficient importance to be obtained by a sacrifice of predetermined measures or executive patronage. To this result the claims which had grown up on the part of the public servants, and the influence which they had naturally acquired over successive Governors, no doubt contributed in a considerable degree. The tenure of office had been originally, as in England, during pleasure; and it must be assumed that in the first instance the Government selected only such individuals as possessed the good-will and confidence of the great mass of the inhabitants, and were fitted to represent their interests. But as the members returned to the first Assemblies were either little fitted or little disposed for official life, and as it was evidently very convenient for the Government to be able to hold out to its servants the prospect of some permanency in their appointments, the tenure during pleasure was gradually converted in practice into a tenure during good behaviour, and the officers acquired a quasi-prescriptive right to be protected against loss of place or emolument, so long as neither their capacity nor their conduct could be impugned.

But the adoption of this policy had involved another departure from English practice. As soon as it was determined that the executive Government need not be in unison with, or depend upon the support of, the House of Assembly, it had followed that the Government should withdraw its officers from that House, or at all events should divest such

as might have seats in it of all pretension to speak or vote as the organs of its views. To have done otherwise—to have allowed them to speak and vote as members of the Government, yet to have seen them continually defeated and to have made no change,—would have been too anomalous and humiliating, and could only have increased the violence of the Opposition. Thus while the Canadian constitution, unprotected by those safeguards against popular pressure which result from the wealth, the education, and the connections of the members of our representative body, was also deprived of that self-adjusting principle without which our House of Commons, notwithstanding its natural and adventitious restraints, would become the instrument of revolution, the great principle that the battle of the Crown should be fought in the representative body was entirely thrown aside, and the Government was left without the means of defence or explanation in that body where its defence was all-important.

At its first adoption this system had seemed to answer the end of protecting the Executive from popular pressure; and so long as the distrust of the Assembly was exhibited only in motions of inquiry, demands for papers, or violent declamations and resolutions, the isolation of the Crown rendered such proceedings utterly ineffective. But when distrust ripened into hostility, and the Assembly, chafing at the contemptuous neglect of the Government in carrying out its own policy

without regard to their opinions or votes, proceeded from words to deeds, and began to pass measures to weaken the Prerogative, and to strengthen their own hands, it became evident that collision between the Executive and the people must, if allowed to continue, break up the foundations of the Constitution. To avoid this the Government adopted, as its last resource, the fatal policy of employing the Legislative Council as a breakwater between it and the people. The leaders of the Assemblies having adopted ultra-popular doctrines, men were selected for the Legislative Council who were known as their most uncompromising opponents. Collision between the houses once established the usual consequences followed. Both parties became heated in the contest, and the leaders of the popular body, freed from the usual responsibilities of party men — secure against being called upon in power to redeem the pledges made in opposition — proceeded to the most extreme lengths. Measures were passed, with the full knowledge that they must be thrown out by the Council, and bills were sent up at such a period and in such a form as to insure their rejection, for the express purpose of casting odium on that body. At last, irritated by their utter impotence against the passive resistance of the Government, and rendered desperate by being placed under a sentence of perpetual exclusion from power, the popular leaders were ready to resort to almost any means to remove the proscription under which they

apparently lay. Thus was the majority pushed on, first in the Lower Province*, and afterwards in Upper Canada†, to the extreme measure of stopping the supplies; and thus was gradually produced in the public mind that exasperation which induced them to demand a change in their Constitution as the only means of deliverance from their difficulties.

The nature of the change sought by the two provinces respectively sufficiently illustrates the difference between the constitutional knowledge of each. While the Lower Canadians, drawing their knowledge of representative institutions only from the neighbouring states, demanded an elective legislative council, the Upper Canadians, better instructed by their English experience, asked that the executive council should be made responsible to the assembly. Both demands were resisted. In the case of Lower Canada the refusal was solemnly sanctioned by a resolution of the House of Commons in the month of March, 1837. In Upper Canada it acquired a momentary support by the defeat, at the election of 1836, of several of the popular leaders.

These checks did not discourage the Opposition; on the contrary, they rather tended to stimulate their exertions and to embitter their language. The proceedings of the British Parliament in respect to Lower Canada were attributed to ignorance of the real state of the case,—to misrepresentations on the part of the British and official party, and to

* In 1833. † In 1836.

anti-Gallic prejudices; while in Upper Canada the result of the election was, as usual in such cases, and with about the usual proportion of truth, ascribed to corrupt interference on the part of the Government.

Still nobody imagined that in either province any party would be so mad or so wicked as to resort to open rebellion, much less that the colonists would array themselves in the field against the British troops. Nor indeed can it be believed that the leaders of the French Canadians contemplated such a result. They had for many years been in the habit of opposing the Government, and of inveighing against what they termed its tyrannical and unconstitutional proceedings. By this course, and by a dogged refusal of all compromise, they had gradually obtained from successive Governments almost every demand which they had advanced. They were but little acquainted with English politics, and were unaware of the slight interest which at that time colonial questions excited in the British Senate; and they had, accordingly, mistaken the forbearance and conciliation of the Home Government for timidity, and the party attacks of the daily press for the expression of national opinion. The first check administered to them was in the resolutions of 1837; and, taught by the experience of the past, they expected, by violent declamations and threatened resistance, to procure the reversal of those resolutions, or at least to prevent their being carried further. And as the

occasion was more urgent, so were the declamations more violent than at any former period; while the temper of the body from whom jurymen must have been taken, secured the speakers against all fear of legal consequences. During the whole summer of 1837, seditious and treasonable sentiments were propagated through the land; and it is not surprising that, under such circumstances, the people should have become excited; that understanding in their literal sense the sentiments they heard — relying with primitive and invincible confidence on their leaders — and still more ignorant than they of the madness of the attempt — they should have been ready to carry into practice the armed resistance to the Government which was so loudly and constantly menaced. The train was thus prepared, and an accident set fire to it. Warrants having been issued in November, 1837, for the arrest of certain parties charged with seditious practices, two of them were rescued from a party of volunteer cavalry by a body of armed peasants. The French population of a large portion of the Montreal district immediately rose *en masse*, and the rebellion was begun.

But the rebellion at once tore away the flimsy covering by which the objects of the French party had hitherto been veiled, and drew a line of demarcation between them and their opponents as distinct as it was universal. There could no longer be a doubt as to the object of the contest; and accordingly, with very few exceptions, the British, of all

shades of politics, were found ranged on the one side, the French, with equally few exceptions, on the other. The result was not for a moment doubtful. With the single exception of Saint Denis, where the elements rather than the insurgents checked the English forces, no resistance of the slightest importance was offered to them. The handful of troops then in Lower Canada marched, almost without opposition, through the whole of the insurgent district, leaving the principal towns to be protected by the volunteers. The insurrection not only never succeeded, but never for a moment had a chance of success. It is but justice to the French Canadians to record that, notwithstanding the existing anarchy, and the exasperation to which they had been inflamed by their leaders, scarcely an act of wanton cruelty was perpetrated, nor did they attempt to make the public disturbances a means of private revenge. Atrocious as were the murders of the unfortunate Weir, of Walker, and of Chartrand, these were the acts only of individuals; and there were circumstances in each case to take them out of the category of those outrages which usually mark the conduct of insurgents, and leave a stain on the character of a people.

In Upper Canada the most violent of those who had been defeated at the elections of 1836 had retained a rankling hatred of the government, and a determination, at all hazards, to regain their power. These men, who had hitherto concealed their disloyalty under an affectation of popular

principles, imagined that the outbreak in the sister province, and the consequent withdrawal of troops from Upper Canada, afforded a favourable chance for the overthrow of their own Government. They accordingly raised the standard of revolt, and under the leadership of Mackenzie marched to the neighbourhood of Toronto. But it was immediately evident that they had miscalculated the feeling of the great mass of the population; that in construing occasional and partial discontent into disaffection, they had interpreted other's feelings by their own, and that the province was at heart thoroughly British and loyal. Without the aid of a single soldier, the militia and volunteers, who crowded on the first alarm to the capital, drove Mackenzie and his crew from the province, so that in the course of six days from the first rising there was not within the continent of Upper Canada a single insurgent in arms. The only remnant of the insurrection was to be found at Navy Island, where Mackenzie, with a body of the worthless vagabonds who are always hanging about the frontier of the United States, set up his camp, and established what he called a provisional Government.

The rebellions, however, in the two provinces, though equally brought to the same conclusion, presented very different considerations, and required very different treatment. The effect in Lower Canada had been to bring out the disaffection of the great mass of the people, and to show

that their obedience to the existing Constitution could, for the present, be secured only by coercive measures. In Upper Canada the result had been exactly the reverse: it had shown that in that province the people were almost universally attached to the mother country, and might well be trusted with the protection of their own rights. While, therefore, it was clear that a temporary suspension of the representative legislature, and an entire change of system, had become inevitable in Lower Canada, it was equally evident that no such necessity existed in the Upper Province. All that was there required was such a change in the mode of administration as should bring the practice of the Government into unison with its prototype in the mother country, and thus remove the feeling of discontent which Mackenzie and his party had exaggerated into disaffection. Accordingly the Act 2 & 3 Victoria, c. 9., by which the constitutional act of 1791 was repealed, as far as Lower Canada was concerned, and a more despotic form of government substituted, was strictly confined in its operation to that province.

This measure, however, being altogether of a temporary nature, it was necessary to couple with it such further arrangements as might enable the Government, as soon as the momentary emergency had ceased, to propose to Parliament some permanent measure for the future government of Canada. With this view the Earl of Durham was appointed Governor-General and High Commissioner to carry

out the act, and at the same time to inquire into, and report upon, the causes of the insurrection, and the remedial measures which it might be advisable to adopt. The result of his mission was the presentation of the report so well known to all who take an interest in Canadian matters, and which every one, whatever his politics, must allow to be one of the most remarkable state papers of the present age. His administration of the government of Canada, which appeared likely to have been successful, was suddenly brought to a close in October, 1838, through a misunderstanding between himself and the Imperial Government, having lasted only five months.

In the winter which followed Lord Durham's return, a second insurrection, more hopeless than the first, broke out in the Montreal district; but was quelled almost immediately by the troops, of whom there was now a large force in the province. In Upper Canada the only interruption to the general peace arose from the hostile incursions of the self-styled "sympathisers" and "liberators" of the neighbouring states. The political excitement, however, continued unabated, and the separation between the official and reform party had been increased rather than diminished by late events.

These feelings were stimulated by the publication of Lord Durham's report, which, while it excited comparatively little interest in Lower Canada, immediately engrossed the whole public attention in the Upper Province. Its two principal recommend-

ations were, the Union, and the establishment of a modified system of responsibility on the part of the official body, according to the practice of the mother country. The countenance which Lord Durham gave by the latter recommendation to the demands of the reformers, the war-cry with which he furnished them in the words "Responsible Government," and the censure which he cast on the conduct of the "Family Compact," by which name the body of office holders had been long known*, at once invigorated their hopes, and inspired their efforts. After a long period of discouragement and discountenance, they, for the first time, found the justice of their complaints recognised by the highest authority; their demands enforced in powerful language and convincing arguments; and the changes, for demanding which they had been denounced as seditious, recommended by the Representative of the Crown as the necessary conditions of the constitution. That they exaggerated the concessions which the report contemplated there can be no doubt; but the mere admission that the executive ought, as a general rule, to be kept in harmony with the representative body, was of itself an immense advance towards their principles. The opposite party, who feared that in the fulfilment of Lord Durham's recommendations would be involved their loss of power, naturally attacked the report as vehemently as it was embraced by the reformers; and it thus became the Shibboleth by which, during the year 1839, the reality of men's political creeds was tested.

* The use of this party term has been complained of, and its appropriateness denied more than once; and, indeed, it was one of the points on which the Committee of the Assembly of Upper Canada, appointed in the spring of 1839 to answer Lord Durham's Report as regarded that province, thought it worth while to bestow particular attention. Without vouching for its universal truth, it has at least enough verisimilitude to justify its use; and it has been so extensively adopted, that it would be impossible to describe the political state of Upper Canada without it. Those who are acquainted either personally or otherwise with that Colony, will at once understand the party to whom it refers; those who are not, will, it is hoped, be able sufficiently to gather from these pages the origin and meaning of the term.

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The Imperial Government adopted to a great extent the recommendations of Lord Durham's report; and in the session of 1839 a Bill for the reunion of Upper and Lower Canada was introduced into Parliament. But when that Bill was before the House of Commons, it was found that so much information in regard to details was still wanting which could be procured only on the spot, and by a person accustomed to the preparation of political measures, that it became necessary to lay it aside for the session. It was to obtain this local information, and to furnish these details, as well as to carry out the great objects of Lord Durham's mission which had remained unaccomplished, that Mr. Poulett Thomson was selected to proceed to the province, invested

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with the same general powers and authority as had been conferred on his predecessor.

There was another subject also which required immediate attention, and for the settlement of which Mr. Poulett Thomson's experience as a man of business, and his acquaintance with matters of trade, pointed him out as the most appropriate selection—viz. the financial state of Upper Canada. In that province the people had for several years been exerting themselves to take advantage of the unrivalled water communications offered by the chain of great lakes and the Saint Lawrence. With an enterprise worthy of an older country, but without sufficient experience or means, they had undertaken the construction of canals, to avoid the falls of Niagara, and to overcome the rapids which interrupt the navigation of the Saint Lawrence between Kingston and Montreal. The first of these great undertakings had been effected by the Welland canal; the works of which had, however, been completed in an insufficient and expensive manner, and were constantly in need of repair. The second had been commenced in the Cornwall canal; a work on a magnificent, perhaps an extravagant scale, which had been arrested in mid course by the failure of funds. These, and other works for opening internal communications and making roads, had necessarily caused a very large expenditure, for which, as yet, but little or no return had been obtained. The consequence was, that, in the summer of 1839 Upper Canada was on the eve of

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bankruptcy; that, with an annual revenue of not more than 78,000*l.*, the charge for the interest of its debt was 65,000*l.**, and the permanent expenses of its government 55,000*l.* more, leaving an annual deficiency of 42,000*l.*; while the want of a sea-port deprived it of the power of increasing its revenue in the usual and least onerous way, by the imposition of duties. To resort to direct taxation, in a country so extensive and thinly inhabited, was plainly impossible; and the ruinous expedient which had been adopted of late years, of paying the interest of the debt out of fresh loans, could no longer be repeated. Yet, to allow matters to continue in their actual state, was equally impossible; and the only question, therefore, was, in what manner the Imperial Government might most effectually, and at the same time most safely, assist the province, so as to enable it to take advantage of its natural resources, which, if properly developed, would suffice to pay its debt ten times over. For the solution of this question, it was indispensable that her Majesty's Government should obtain the opinion of an officer who, to every means of local information, should unite an intimate acquaintance with financial subjects, and in whose discretion they had an entire confidence.

It has been already stated that Mr. Poulett Thomson left Quebec for Montreal on the 22nd of October, 1839. Immediately on his arrival

* Vide Parliamentary Papers, 1840.

1839. in the latter town he called together the Special Council, which had been appointed by his predecessor; and to which he abstained from adding a single member; because, as he observed in addressing the Secretary of State *,

"It appeared to me that to secure due weight in the mother country to the judgment of a body so constituted, it was indispensable to avoid even the possibility of an imputation that I had selected for its members those only whose opinions coincided with my own.

"I had moreover every reason to believe, from the motives which guided my predecessor in his choice, that the council contains a very fair representation of the state of feeling in the different districts of the province.

"For these reasons I determined on making no alteration whatever."

To this body he submitted certain resolutions on the subject of the Union, to the effect that it should be established at the earliest possible moment — that a civil list should be granted to the Crown — that the debt of Upper Canada should be borne by the United Province — and that the details of the re-union measure should be settled by the Imperial Legislature. After several days' discussion these resolutions were carried by a majority of twelve to three. In communicating this result to Lord John Russell, Mr. Poulett Thomson thus de-

* Vide Parliamentary Papers, 1840.

1839. scribed the feeling which appeared to him to prevail on the subject in Lower Canada.* — "It is," he observes, "my decided conviction, grounded upon such other opportunities as I have enjoyed since my arrival in this country of ascertaining the state of public feeling, that the speedy adoption of that measure (the Union) by Parliament is indispensable to the future peace and prosperity of this province.

"All parties look with extreme dissatisfaction at the present state of government. Those of British origin, attached by feeling and education to a constitutional form of government, although they acquiesced for a time in the establishment of arbitrary power as a refuge from a yet worse despotism, submit with impatience to its continuance, and regret the loss, through no fault of their own, of what they consider as their birthright. Those of the French Canadians, who remained loyal to their Sovereign and true to British connection, share the same feelings. Whilst among those who are less well affected, or more readily deceived, the suspension of all constitutional rights affords to reckless and unprincipled agitators a constant topic of excitement.

"All parties, therefore, without exception, demand a change. On the nature of that change there exists, undoubtedly, some difference of opinion.

"In a country so lately convulsed, and where

* Parliamentary Papers, 1840.

1839. passions are still so much excited, extreme opinions cannot but exist; and accordingly, whilst some persons advocate an immediate return to the former constitution of the Province, others propose either the entire exclusion from political privileges of all of French origin, or the partial dismemberment of the Province, with the view of conferring on one portion a representative system, while maintaining in the other a despotism.

"I have observed, however, that the advocates of these widely different opinions have generally admitted them to be their aspirations, rather than measures which could be practically adopted, and have been unable to suggest any course except the Union, by which that at which they aim, viz. constitutional government for themselves, could be permanently and safely established.

"There exists, too, even amongst these persons, a strong and prevailing desire that the Imperial Legislature should take the settlement of Canadian affairs at once into its own hands, rather than it should be delayed by a reference to individual opinions, or to the schemes which may be put forward by different sections of local parties.

"The large majority, however, of those whose opinions I have had the opportunity of learning, both of British and French origin, and of those too whose character and station entitle them to the greatest authority, advocate warmly the establishment of the Union, and that upon terms of perfect fairness, not merely to the two Provinces, but to

1839. the two races within this Province. Of the extent to which this feeling with regard to the Upper Province is carried, your Lordship will find a most conclusive proof in the resolution of the Special Council, respecting the debt of Upper Canada. By this resolution, a large sum owing by that Province on account of public works of a general nature, is proposed to be charged on the joint revenues of the United Province. Upon other details of the arrangement the same feeling prevails. It would be, however, useless for me to trouble your Lordship with respect to them, until I have had the opportunity of ascertaining the views and opinions entertained by the people of Upper Canada. If, however, as I trust, the principle of re-union should meet with their assent, I am of opinion that it can only be in consequence of demands of an unwarrantable character upon their part that difficulty will arise in settling the principal terms."

Fortified with the concurrence of the only legislative body existing in Lower Canada, Mr. Poulett Thomson left Montreal for the Upper Province on the 19th November, and after a few hours' delay at Kingston, arrived at Toronto on the 21st of the same month. The excitement which had been created by the publication of Lord Durham's report still prevailed in all its original force. Writing to the Secretary of State on the 22nd of the previous September, Sir George Arthur had thus described the state of the Province*:—"All the wicked heads on

* Parliamentary Papers of 1840.

1839. both sides are constantly at work plotting mischief; and many inconsiderate persons, by the course they are now pursuing at the 'responsible government' meetings, promote the designs of the most criminal characters. The foundations of civil order were broken up by the occurrences of the year 1837, and general mistrust and bad feeling open out a way for the display of the worst passions of the worst men, of which they seem keenly disposed to avail themselves." And again, on the 15th of October, he added—"Upon the whole, I wish it were in my power to give your Lordship a more gratifying account of the feeling throughout the Province, from the impressions made in my own mind, than I have it in my power to impart. Your Lordship will observe in the statements herewith transmitted, —and the same have been communicated to this Government by many other sources,—that serious disturbances in the Province are still looked for."

The advent of the Governor-General and his assumption of the Government of Upper Canada—a measure which nothing but the peculiar circumstances of the time would have justified—had been looked for with much anxiety, though with very different anticipations, by the two parties. While his connection with the Home Government and his previous political career caused the official or "compact" party to regard him with suspicion, as probably inimical to their supremacy, the reform party were naturally disposed for the same reasons to look to him with more confidence and hope.

1839. He assumed the Government on the 22nd of November; on which day also he received from the Corporation of Toronto, and from the Board of Trade of that city, congratulatory addresses. The address from the Corporation of Toronto will be found below*, and is sufficiently indicative of the

* "To his Excellency the Right Honourable Charles Poulett Thomson, one of Her Majesty's most Honourable Privy Council; Governor-General of all Her Majesty's Possessions in British North America, &c. &c.

"May it please your Excellency,

"We her Majesty's loyal subjects, the mayor, aldermen, and commonalty of the city of Toronto, influenced by the respect due to the Representative of our gracious Sovereign, beg leave to congratulate your Excellency on your arrival in this city.

"Amidst the doubts and incertitude which the frequent changes of Governors and Lieutenant-Governors of these Provinces, and of the policy of the Imperial Government with regard to them, have created in the minds of the loyal and well-affected inhabitants, we would fain hail the arrival of your Excellency as the advent of a more certain, permanent, and prosperous condition of our commercial, social, and political relations, which will restore to prosperity the commerce and agriculture of the Province, give a new impulse to internal improvements, and encourage the emigration of our loyal fellow-subjects from the mother country to this important appendage to the British Crown.

"Having understood that one of the principal objects of your Excellency's visit to this Province, and of your assuming the government thereof, is to ascertain the state of public opinion upon the question of the proposed Legislative Union of the Provinces of Upper and Lower Canada; we beg respectfully to express our conviction that any Legislative Union which shall not be predicated upon the ascendency of the loyal portion of the inhabitants, or which shall give to that portion of the population who from education, habits, and prejudices are aliens to our nation and our institutions; and to that part of it more particularly which has been engaged in open rebellion or treason-

1839. spirit of exclusivism which that body and their friends were accustomed to advocate. The answer

able conspiracy against the government; the same rights and privileges with the loyal British population of the Provinces, who have adhered so zealously and faithfully at the risk of their lives and property to their Sovereign and Constitution, would be fatal to the connection of these Provinces with the parent country.

"Faithful in our allegiance to our Sovereign, and calmly but earnestly determined, as far as depends upon us, the highest municipal body in the Province, to perpetuate the connection with the parent state, your Excellency may confidently rely on our cordial support in whatever measures you may think advisable to adopt, tending to maintain that connection, and to uphold the cherished constitution under which we live, and which we are firmly resolved to the utmost of our power to preserve inviolate and unchanged.

"(Signed) JOHN POWELL, Mayor.

"Council Chamber, 18th Nov. 1839."

His Excellency's Reply.

"Gentlemen,

"I thank you for your congratulations on my arrival in this Province. I trust that the information which I shall acquire during my stay here may enable me to recommend such measures as may promote the agricultural and commercial interests of this important Province. Among those measures the re-union of Upper and Lower Canada appears to me the most essential, and you have been rightly informed that one principal object of my mission is to determine in what manner it can most safely and most advantageously be carried into effect. That measure is recommended by her Majesty's Government from a deep conviction that it will cement the connection between the colonies and the parent state, which it is the firm determination of her Majesty to maintain inviolate; but to be of permanent advantage, it must be founded upon principles of equal justice to all her Majesty's subjects.

"For this, and for all other measures having in view the advantage of these Provinces, I shall confidently rely upon the support and co-operation of the people of Upper Canada."

returned to it, by repudiating the doctrine that the Union should be based on the ascendency of one portion of the population over another, and by insisting that it must be framed on principles of "equal justice to all her Majesty's subjects," had the effect of confirming the feelings with which the antagonist parties had been originally disposed to regard the Governor-General. 1839.

The Parliament had been summoned to meet on the 3d of the following month, and during the short time which intervened the Governor-General employed himself in the preparation of his measures, and in making himself acquainted with the sentiments of the people in general, and especially of such of their representatives as had reached the capital.* It had not been without much delibera-

* He also contrived to steal one holiday from public business for a visit to Niagara, as appears by the following extract from a private letter, dated

"Toronto, December 3. 1839.

"I arrived here on Thursday week. The journey was bad enough: a portage to La Chine; then the steamboat to the Cascades, twenty-four miles further; then road again (if road it can be called) for sixteen miles; then steam to Prescott, forty miles; then road twelve miles; then, by a change of steamers, into Lake Ontario to Kingston, and thence here. I slept one night on the road, and two on board the steamers. Such as I have described it is the boasted *navigation* of the St. Lawrence! The weather was cold, but not bad after the first day; yet what between the journey itself, the receiving addresses every two miles, the guards of honour and military nonsense, the job was a most fatiguing one. However, my health did not suffer; and as I felt sure that once embarked in business I

1839. tion that it was resolved to call again the existing Assembly rather than resort to a dissolution, and thus submit the question of a union to an Assembly elected with especial reference to this matter. But after the most ample consideration it was thought better not to add the excitement of a general election to that already existing on the question of "responsible government;" and accordingly the old House, which had been elected in 1836, during the administration of Sir F. B. Head, was called together. The views which, at this time, Mr. Poulett Thomson entertained on the subject of responsible government will be best explained by the following extract of a private letter addressed by him to one of his friends in England, and dated 12th December, 1839.

should never get there, I started again on Saturday for the Falls. It is only thirty-six miles across the Lake to Queenston, and then seven to the Falls. So, by starting early in a Government steamer, which I kept, I did the thing in a day, and returned here to sleep. Then again at Niagara, Queenston, and Drummondville, I had to face addresses and the military; still I got three or four hours for the Falls, and certainly they beggar all power of description. The day was propitious. A hard frost, which had produced the most magnificent icicles wherever the drip was slow, and a brilliant sunshine to set off the scene. The scenery is nothing; or whatever beauty there may be is certainly lost in the one absorbing object—the enormous volume of water which dashes down. Unlike all the other waterfalls which I have seen, where the water is a mere accessory to the picture, here the water is every thing,—the surrounding scenery but the frame in which it is set. I can imagine nothing else in nature so awfully grand."

1839.

"I am not a bit afraid of the responsible government cry. I have already done much to put it down in its inadmissible sense; namely, the demand that the council shall be responsible to the assembly, and that the governor shall take their advice, and be bound by it. In fact, this demand has been made much more *for* the people than *by* them. And I have not met with any one who has not at once admitted the absurdity of claiming to put the council over the head of the governor. It is but fair, too, to say that every thing has in past times been done by the different governors to excite the feelings of the people on this question. First, the executive council has generally been composed of the persons most obnoxious to the majority of the assembly. And next, the governor has taken extreme care to make every act of his own go forth to the public *on the responsibility* of the executive council. So the people have been carefully taught to believe that the governor is nobody, and the executive council the real power, and that by the governor himself. At the same time they have seen that power placed in the hands of their opponents. Under such a system it is not to be wondered at if our argument founded on the responsibility of the governor to the home government falls to the ground. I have told the people plainly that, as I cannot get rid of my responsibility to the home government, I will place no responsibility on the council; that they are *a council* for the governor to consult, but no more. And I have yet met with no 'responsible government' man who was not satisfied with the doctrine. In fact, there is no other theory which has common sense. Either the governor is the sovereign or the minister. If the first, he may have ministers, but he cannot be responsible to the government at home, and all colonial government becomes impossible. He must therefore be the minister, in which case he cannot be under the control of men in the colony."

It has already been stated that heretofore the

1839. Government had studiously avoided the appearance of having an organ in the House of Assembly, and that the public officers who happened to be members of that or the other house had been in the habit of speaking and voting according to their individual views without reference to those of the Government. Under such a system it was not only impossible for the Government to feel sure of carrying out its policy, but it was difficult to persuade the public of the good faith and sincerity with which its measures were brought forward. A better practice was now to be substituted; and accordingly before the commencement of the session the Governor-General explained fully to the public officers who had seats in either House the views of the Home Government and his own on the measures about to be brought forward, and the course which it would be necessary for them in their official character to pursue; and to prevent all misunderstanding as to the principles on which the Government was in future to be conducted, as far as regarded the relations between the Governor and the principal officers of the Crown, he gave publicity to the despatch from Lord J. Russell of which a copy will be found below.*

* *Copy of a Despatch from Lord John Russell to the Right Honourable C. Poulett Thomson.*

"Sir, "Downing Street, 16th Oct. 1839.

"I am desirous of directing your attention to the tenure on which public offices in the gift of the Crown appear to be held throughout the British Colonies. I find that the Governor himself and every person serving under him are appointed during

1839. He was fortunate enough to obtain the acquiescence of all the official members of the legislature

the royal pleasure; but with this important difference — the Governor's commission is in fact revoked whenever the interests of the public service are supposed to require such a change in the administration of local affairs; but the commissions of all other public officers are very rarely indeed recalled, except for positive misconduct. I cannot learn that during the present or two last reigns, a single instance has occurred of a change in the subordinate colonial officers, except in cases of death or resignation, incapacity or misconduct. This system of converting a tenure at pleasure into a tenure for life originated, probably, in the practice which formerly prevailed of selecting all the higher class of colonial functionaries from persons who at the time of the appointment were resident in this country; and amongst other motives which afforded such persons a virtual security for the continued possession of their places, it was not the least considerable that, except on those terms, they were unwilling to incur the risk and expense of transferring their residence to remote and often to unhealthy climates. But the habit which has obtained of late years of preferring, as far as possible, for places of trust in the Colonies, persons resident there, has taken away the strongest motive which could thus be alleged in favour of a practice to which there are many objections of the greatest weight. It is time, therefore, that a different course should be followed; and the object of my present communication is to announce to you the rules which will be hereafter observed on this subject in the Province of Lower Canada.

"You will understand, and will cause it to be made generally known, that hereafter the tenure of Colonial offices held during her Majesty's pleasure, will not be regarded as equivalent to a tenure during good behaviour; but that not only such officers will be called upon to retire from the public service as often as any sufficient motives of public policy may suggest the expediency of that measure, but that a change in the person of the Governor will be considered as a sufficient reason for any alterations which his successor may deem it expedient to make in

1839. in the proposed measures, and the assurance of their support during the session; but as several of these gentlemen had previously been opposed to the

the list of public functionaries, subject of course to the future confirmation of the Sovereign.

"These remarks do not extend to judicial offices, nor are they meant to apply to places which are altogether ministerial, and which do not devolve upon the holders of them duties in the right discharge of which the character and policy of the government are directly involved. They are intended to apply rather to the heads of departments than to persons serving as clerks or in similar capacities under them; neither do they extend to officers in the service of the Lords Commissioners of the Treasury. The functionaries who will be chiefly though not exclusively affected by them, are the Colonial Secretary, the Treasurer or Receiver-General, the Surveyor-General, the Attorney and Solicitor-General, the Sheriff or Provost Marshal, and other officers who, under different designations from these, are entrusted with the same or similar duties. To this list must also be added the Members of the Council, especially in those Colonies in which the Executive and Legislative Councils are distinct bodies.

"The application of these rules to officers to be hereafter appointed will be attended with no practical difficulty. It may not be equally easy to enforce them in the case of existing officers, and especially of those who may have left this country for the express purpose of accepting the offices they at present fill. Every reasonable indulgence must be shown for the expectations which such persons have been encouraged to form; but even in these instances it will be necessary that the right of enforcing these regulations should be distinctly maintained in practice, as well as in theory, as often as the public good may clearly demand the enforcement of them. It may not be unadvisable to compensate any such officers for their disappointment even by pecuniary grants, when it may appear unjust to dispense with their services without such an indemnity.

"I have, &c.

"(Signed) J. Russell."

1839. Union, when brought forward under different circumstances, the fact that Mr. Thomson had required them to advocate the views of the Government under which they held office, and that he had promulgated the despatch above referred to, was denounced as an act of unparalleled tyranny and oppression. Unreasonable as was such an accusation, it yet found an echo in this country, where the same principle has invariably prevailed.

It is scarcely possible for those who were not on the spot to understand the extent of the difficulties with which Mr. Poulett Thomson had to contend, or consequently to appreciate the skill and courage with which he encountered them; but a few extracts from his private correspondence of this period will show his own impressions as to those difficulties, and the means by which he proposed to surmount them. Writing on the 8th November he said,—

"I have indeed an arduous task before me, and very little time to do it in; for I suppose I shall be pulled to pieces if I do not get a settlement 'ready for the opening.' However, it is a great field — and upon the whole I think I did wisely in leaving Baring to try to fill the empty boxes of the Exchequer, and in trying my hand with the rebels, French or British. They *can't* be more unreasonable than the ultras on both sides of the House of Commons.

"I do not despair of getting through my task, if the newspapers in England will only leave me alone, or at least our friends pay no attention to what they say, but

1839. let me work quietly with the people here. The time is sadly against me. People in Downing Street will expect something for the meeting of Parliament, and to settle the affairs of two distracted provinces, whose capitals are 600 miles apart, in the depth of winter, which it is here even now, and in three months, is not a very possible job. But I shall do my best."

On the 20th November and the 8th December, writing from Toronto, he said,—

"I have succeeded in Lower Canada in far less time and with greater ease than I could have expected from Sir John Colborne's account to me of the state of feeling, especially in his own council. The fact is, that his council ran riot, and did not know how to proceed. I have given them my opinion strongly, at the same time that I expressed my willingness to hear and give due weight to theirs. This course has shortened business (for there is a strong wish to be guided by the Home Government), and produced unanimity. So far, therefore, as the Lower Province is concerned, I look upon the Union as settled. The decision, too, I have reason to know, gives the greatest satisfaction to the Province generally, and nearly all are prepared to accept the measure, if it can be carried through Parliament, with the utmost cordiality. The fact is, that all parties there are dead-sick of the present state of things, and desire a return to Constitutional Government. Of course the extremes have their different crotchets for arriving at this end. The ultra-French desire an immediate return to the old Constitution. The ultra-British the disfranchisement of the French Canadians. But even they have been satisfied, I believe, by a little management and a good deal of firmness, that both were equally out of the question, and have now joined with the great mass who hold the middle opinion in favour of the Union measure. The 'Canadien' and the 'Montreal Herald'

lie down together upon this point. In short, the unanimity is wonderful. 1839.

"I have now the Upper Province to deal with, which will, I fear, be a more difficult matter. But I do not despair; and certainly, so far as all the real interests of the country are concerned, the Union is far more necessary to Upper Canada than to the other. If it were possible, the best thing for Lower Canada would be a despotism for ten years more; for, in truth, the people are not yet fit for the higher class of self-government — scarcely indeed, at present, for any description of it; and by carrying oneself the measures which a House of Assembly will probably never carry, one might gradually fit them for both, and, at all events, leave them an amount of good institutions which the United Legislature, when it came, could not destroy. But in Upper Canada the case, as it appears to me, is widely different. The state of things here is far worse than I had expected. The country is split into factions animated with the most deadly hatred to each other. The people have got into the habit of talking so much of *separation*, that they begin to believe in it. The Constitutional party is as bad or worse than the other, in spite of all their professions of loyalty. The finances are more deranged than we believed even in England. The deficit 75,000*l.* a year, more than equal to the income. All public works suspended. Emigration going on fast *from* the province. Every man's property worth only half what it was. When I look to the state of Government, and to the departmental administration of the province, instead of being surprised at the condition in which I find it, I am only astonished it has been endured so long. I know that, much as I dislike Yankee institutions and rule, *I* would not have fought against them, which thousands of these poor fellows, whom the Compact call rebels, did, if it were only to keep up such a Government as they got. The excitement upon 'Responsible Government' is great. Not that

1839. I believe the people understand what they are clamouring for by that word; but that they feel the extreme uneasiness of their situation, owing to financial embarrassments, and hate the dominant party in the Government with intense hatred. I do not wonder at the cry for Responsible Government, when I see how things have been managed.

"Then the Assembly is such a House! Split into half a dozen different parties. The Government having *none*—and *no one man* to depend on! Think of a House in which half the members hold places, yet in which the Government does not command a single vote; in which the placemen generally vote against the Executive; and where there is no one to defend the Government when attacked, or to state the opinion or views of the Governor! How, with a popular Assembly, Government is to be conducted under such circumstances, is a riddle to me. I am now more than ever satisfied that the Union affords the only chance of putting an end to the factions that distract the country; the only means of recruiting its finances by persuading Great Britain to help the Upper Canada Exchequer; the only means by which the present abominable system of government can be broken up, and a strong and powerful administration, both departmental and executive, be formed. And unless the people will assent to the general outline of it, and Parliament will then carry the details, upon which they would never agree, with a high hand, the province is lost. From all that I can hear or see, I would not give a year's purchase for our hold of it, if some great stroke is not given which shall turn men's thoughts from the channel in which they now run, and give a fresh impetus to public works, emigration, and the practical improvement of the country's resources.

"It is indeed a pity to see this province in such a state. It is the finest country I ever knew, even what I have seen of it in a circle of thirty or forty miles from here; and by the accounts I receive the Upper part is even

superior. Lower Canada is not to be named in comparison. The climate, the soil, the water-power, and facilities of transport, finer than any thing in North America. 1839.

"Whether in their present state of violent excitement I shall be able to persuade the people to come to reasonable terms, I cannot venture to say; but I am sure it is the last and only chance. After having brought —— and —— to think that the French Canadians ought to have their full share of the representation, I shall not despair of any thing. But what I hear, and have as yet seen, of the House of Assembly, is not encouraging. If they are not willing, however, I shall appeal to the people without hesitation; for the state of things admits of no delay, and no half measures."

The session was opened on the 3rd December by a speech from the Throne, which the Governor-General purposely modelled rather after the form and manner of the royal speeches delivered to the British Parliament, than the lengthier manifestos which had been usual in addressing the provincial legislature.* His object was of course to avoid

* *Speech to the Legislature of Upper Canada.*

"Honourable Gentlemen of the Legislative Council,
and
"Gentlemen of the House of Assembly:

"In discharge of the duties of Governor-General of British North America, confided to me by our gracious Sovereign, I have deemed it advisable to take the earliest opportunity of visiting this Province, and of assembling Parliament.

"I am commanded by the Queen to assure you of her Majesty's fixed determination to maintain the connection now subsisting between her North American possessions and the United Kingdom, and to exercise the high authority with which she

1839. introducing topics of excitement likely to arouse prolonged discussion, before the fitting period had

has been invested by the favour of Divine Providence, for the promotion of their happiness and the security of her dominions.

"It is with great satisfaction I can inform you that I have no grounds for apprehending a recurrence of those aggressions upon our frontier which we had lately to deplore, and which affixed an indelible disgrace upon their authors.

"If, however, unforeseen circumstances should again call for exertion, I know from the past that in the zeal and loyalty of the people of Upper Canada, and in the protection of the parent state, we possess ample means of defence; and to those I should confidently appeal.

"I earnestly hope that this state of tranquillity will prove favourable to the consideration of the important matters to which your attention must be called during the present session.

"It will be my duty to bring under your consideration, at the earliest possible moment, the subject of the legislative re-union of this Province with Lower Canada, recommended by her Majesty to the Imperial Parliament. I shall do so in the full confidence that you will see in the measure which I shall have to submit, a fresh proof of the deep interest felt by the Queen in the welfare of her subjects in Upper Canada; and that it will receive from you that calm and deliberate consideration which its importance demands.

"The condition of the public departments in the Province will require your best attention. In compliance with the address of the House of Assembly of last session, the Lieutenant-Governor appointed a commission to investigate and report upon the manner in which the duties of those departments are performed. The commissioners have already conducted their inquiries to an advanced stage; and the result of them will be communicated to you as soon as they shall be completed.

"I am happy to inform you that her Majesty's Government have concluded an arrangement for opening a communication by steam between Great Britain and the British possessions in North America. In the completion of this arrangement her Majesty's Government have allowed no consideration to interfere with the paramount object of conducing to the public advantage

arrived for their consideration. In this he succeeded. The speech was very favourably received, 1839.

and convenience. I feel confident that the liberality with which the parent state has assumed the whole expense of the undertaking will be duly appreciated by you.

"The answers of her Majesty to the various addresses adopted by you during your last session, and her Majesty's decisions on the Bills passed by you, but reserved for the signification of the royal pleasure, will be made known to you without loss of time.

"Gentlemen of the House of Assembly:

"The financial condition of the Province will claim your early and most attentive consideration. To preserve public credit is at all times a sacred obligation; but in a country so essentially dependent upon it for the means of future improvement, it is a matter no less of policy than of duty. It is indispensable, then, that measures should be at once adopted for enabling the Provincial Revenue to fulfil its obligations, and to defray the necessary expenses of the Government. It will be my anxious desire to co-operate with you in effecting this object; and I feel confident that by the adoption of measures calculated to promote the full development of the resources of this fine country, the difficulty may be overcome. The officer by whom, under your authority, these obligations have been contracted, will be able to afford you every information; and I shall direct a statement of your financial condition to be immediately submitted to you.

"The estimates for the ensuing year will be prepared with every regard to economy, compatible with the due execution of the service of the Province.

"It is with great satisfaction I find, that notwithstanding commercial difficulties which prevail in the neighbouring states, the banks of this Province have resumed specie payments; and I congratulate you upon the guarantee thus afforded of the greater security and stability of our pecuniary transactions; a circumstance which cannot fail to be attended with the most beneficial results.

"I am commanded again to submit to you the surrender of the casual and territorial revenues of the Crown, in exchange

1839. and an address founded on it was voted unanimously in two days, instead of being debated for a week, as had been not unusual on former occasions.*

for a civil list; and I shall take an early opportunity of explaining the grounds on which her Majesty's Government felt precluded from assenting to the settlement which you lately proposed. They are of a nature which lead me to anticipate your ready assent to their removal, and to the final settlement of the question.

"Honourable Gentlemen, and Gentlemen:

"In assuming the administration of the Government of these Provinces at the present time, I have not disguised from myself the arduous task which I have undertaken. The affairs of the Canadas have for some years back occupied much of the attention of the Imperial Parliament, and of the Government; and their settlement upon a firm and comprehensive basis admits of no further delay.

"To effect that settlement upon terms satisfactory to the people of these Provinces, and affording security for their continued connection with the British Empire, will be my endeavour; and I confidently appeal to your wisdom, and to the loyalty and good sense of the people of this Province, to cooperate with me for the preparation and adoption of such measures as may, under Divine Providence, restore to this country peace, concord, and prosperity.

"Toronto, December 3. 1839."

* In a private letter, dated December 3. 1839, he thus describes the ceremony of opening the session:—

"I opened my Parliament to-day; and really the matter was very creditably conducted. The Toronto dragoons are not quite equal to the Life-guards, and Arthur's coach (for I did not bring my equipages up here) not quite so smart as her Majesty's. But I flatter myself that I looked very regal on the throne, with my cocked hat on; and the hall of the Legislative Council beat the House of Lords hollow. We had all the Toronto ladies, and heaps of fair Americaners, who came over

1839.

A few days after the opening of the session the question of the re-union was brought before both houses in the usual form, by message.* The con-

for the sight; and the commons made as much noise, and looked as dirty, as they do in Westminster. So upon the whole I think my Provincial Parliament quite as good as the old one.

"The worst part of the thing to me, individually, is the ceremonial. The *bore* of this is unspeakable. Fancy having to stand for an hour and a half bowing, and then to sit with one's cocked hat on to receive addresses. Poor royalty! I learn to feel for it. Then the misery of always being on parade! When I get over the first blush, however, I hope to remedy this a little."

* "In pursuance of the intention expressed in his speech from the throne, the Governor-General desires now to bring under the consideration of the House of Assembly the subject of the re-union of this Province with Lower Canada, recommended by her Majesty in her gracious Message to both Houses of Parliament on the 3d of May last.

"For several years the condition of the Canadas has occupied a large portion of the attention of Parliament. That they should be contented and prosperous; that the ties which bind them to the parent state should be strengthened; that their administration should be conducted in accordance with the wishes of the people,—is the ardent desire of every British statesman; and the experience of the last few years amply testifies that the Imperial Parliament has been sparing neither of the time it has devoted to the investigation of their affairs, nor of the expenditure it has sanctioned for their protection.

"The events which have marked the recent history of Lower Canada are so familiar to the House of Assembly that it is unnecessary for the Governor-General further to allude to them. There the constitution is suspended; but the powers of the Government are inadequate to permit of the enactment of such permanent laws as are required for the benefit of the people.

"Within this Province the finances are deranged; public improvements are suspended; private enterprise is checked;

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ditions on which it was proposed to base the measure were,—1st, Equality of representation for each

the tide of emigration, so essential to the prosperity of the country and to the British connection, has ceased to flow; while by many the general system of government is declared to be unsatisfactory.

"After the most attentive and anxious consideration of the state of these Provinces, and of the difficulties under which they respectively labour, her Majesty's advisers came to the conclusion that by their re-union alone could those difficulties be removed. During the last session of the Imperial Legislature they did indeed refrain from pressing immediate legislation; but their hesitation proceeded from no doubt as to the principle of the measure, or its necessity; it arose solely from their desire to ascertain more fully the opinions of the Legislature of Upper Canada, and to collect information from which the details might be rendered more satisfactory to the people of both Provinces.

"The time, then, is now arrived beyond which a settlement cannot be postponed. In Lower Canada it is indispensable to afford a safe and practicable return to a Constitutional Government; and, as far as the feelings of the inhabitants can be there ascertained, the measure of the re-union meets with approbation.

"In Upper Canada it is no less necessary to enable the Province to meet her financial embarrassments, and to proceed in the development of her natural resources. There are evidently no means in this Province of fulfilling the pecuniary obligations which have been contracted, but by a great increase in the Local Revenues; but so long as Lower Canada remains under her present form of government, neither Province possesses any power over the only source from which that increase can be drawn. Nor even were it possible to restore a representative constitution to Lower Canada, unaccompanied by the union, would the position of this Province be much improved, since past experience has shown the difficulty of procuring assent to any alteration of the Customs Laws suggested from hence.

This Province has engaged in undertakings which reflect the highest honour on the enterprise and industry of her inhabitants. The public works which she has completed or commenced have

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province. 2d, The grant of a civil list, of which the amount should be settled by the Imperial Parlia-

been conceived in a spirit worthy of a successful result. But additional means are indispensable to avert the ruin of some, and secure the completion of others. Nor will that alone suffice: Lower Canada holds the key to all these improvements. Without her co-operation, the navigation for which nature has done so much, for which this Province has so deeply burdened itself, must remain incomplete, and a barrier be opposed to the development of those great natural resources which the hand of Providence has so lavishly bestowed on this country.

"With a view to remove all these difficulties; to relieve the financial embarrassments of Upper Canada; to enable her to complete her public works, and develope her agricultural capabilities; to restore Constitutional Government to Lower Canada; to establish a firm, impartial, and vigorous Government for both, and to unite the people within them in one common feeling of attachment to British institutions and British connection,—the Union is desired by her Majesty's Government; and that measure alone, if based upon just principles, appears adequate to the occasion.

"Those principles, in the opinion of her Majesty's advisers, are a just regard to the claims of either Province, in adjusting the terms of the Union; the maintenance of the three estates of the Provincial Legislature; the settlement of a permanent Civil List for securing the independence of the Judges; and to the Executive Government that freedom of action which is necessary for the public good, and the establishment of a Local Government adapted to the wants of the people. It was with great satisfaction, then, that her Majesty's Government learned that upon the question of the Union itself, the House of Assembly had pronounced their decided judgment during their last session; and it will only remain for the Governor-General now to invite their assent to the terms upon which it is sought to be effected. That decision was indeed accompanied by recommendations to which the Government could not agree; but the Governor-General entertains no doubt that, under the altered circumstances, they will no more be renewed. It will be for the Imperial Parliament, guided by their intimate knowledge of con-

1839. ment. And 3d, The equal support of the public debt. In each House the resolutions led to long and in-

stitutional law, and free from the bias of local feelings and interests, to arrange the subordinate details.

"The first of the terms of re-union to which the Governor-General desires the assent of the House of Assembly, is the equal representation of each Province in the United Legislature. Considering the amount of the population of Lower Canada, this proposition might seem to place that Province in a less favourable position than Upper Canada; but under the circumstances in which this Province is placed, with the increasing population to be expected from emigration, and having regard to the commercial and agricultural enterprise of its inhabitants, an equal apportionment of representation appears desirable.

"The second stipulation to be made is the grant of a sufficient Civil List. The propriety of rendering the judicial bench independent alike of the Executive and of the Legislature, and of furnishing the means for carrying on the indispensable services of the Government, admits of no question, and has been affirmed by the Parliament of Upper Canada in the acts passed by them for effecting those objects. In determining the amount of the Civil List, the House of Assembly may be assured that the salaries and expenses to be paid from it will be calculated by her Majesty's Government with a strict regard to economy, and the state of the Provincial finances.

"Thirdly, the Governor-General is prepared to recommend to Parliament, that so much of the existing debt of Upper Canada as has been contracted for public works of a general nature should, after the Union, be charged on the joint revenue of the United Province. Adverting to the nature of the works for which this debt was contracted, and the advantage which must result from them to Lower Canada, it is not unjust that that Province should bear a proportion of their expense.

"On these principles, the Governor-General is of opinion that a re-union of the two Provinces may be effected, equitable and satisfactory in its terms, and beneficial in its results to all classes. He submits them to the consideration of the House of Assembly in the full conviction of their importance, and in the hope that they will receive the assent of that

teresting debates; but in the Council they were carried without much difficulty by a majority of fourteen to eight. Of the minority all but two were inhabitants of Toronto, where the probable effect of the measure on that city, as the seat of government, made it generally unpopular. 1839.

In the House of Assembly the deliberations were much more protracted. During their previous session that house had adopted resolutions approving of an Union, but on certain specified conditions; of which the principal were,—

1st. That the seat of Government of the United Province should be in Upper Canada.

2nd. That the members returned to the Assembly from each Province should be, from Lower Canada fifty, from Upper Canada as at present (*i. e.* 62, with a faculty of increase with increase of population).

3rd. That after a time, not later than 1845, the elective franchise in counties should be restricted to those holding their lands in free and common socage.

House. Fortified by the expression of their opinion, her Majesty's Government and Parliament will be able at once to apply themselves to the full development of the scheme, and to the consideration of the provisions by which it may be carried into effect with the greatest advantage to the people of both Provinces. If, in the course of their proceedings, the House of Assembly should desire any information which it is in the power of the Governor-General to afford, they will find him ready and anxious to communicate with them frankly and fully, and to aid by all the means in his power that settlement, on which he firmly believes that the future prosperity and advancement of these Colonies mainly depend."

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4th. That the English language alone should be spoken and used in the legislature and courts of justice, and in all other public proceedings.

These resolutions,—which were in exact harmony with the sentiments of the Corporation of Toronto, embodied in their Address, of which a copy has been given,—it was attempted again by the members of the "compact" party to press upon the House. The result, could they have been carried, would have been utterly to strip from the French all political power of any kind. By the second condition they would, notwithstanding their superiority of numbers, have been condemned to a hopeless and constantly increasing inferiority of representation. By the third they would in less than four years have been almost entirely disfranchised, the French country being with few exceptions held on the seigneurial, and not the free and common socage tenure; while by the last they would have been placed under an interdict not only in the Senate, but in their courts of justice, and indeed in every other public assembly.

To conditions so unjust and oppressive, Mr. Poulett Thomson determined to give his unqualified opposition; and after repeated debates and adjournments, they were rejected by large majorities, and the resolutions introduced by the Government carried with only a slight alteration. This, however, did not take place until the 19th of December, the house having been then in debate on the matter for nearly a fortnight. No time

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was lost by the Governor in acting on the resolutions; and he was accordingly enabled, by the 22nd of the following month, to transmit to her Majesty's Government a draft of the bill which seemed to him best adapted for carrying the Union into effect.

Writing at this date, in a tone of not unnatural exultation, he thus expressed his own view of the value of what he had in so short a space of time succeeded in accomplishing:—

"December 24.

"This mail will take you home the assent of the Assembly to the Union, and to the terms and conditions I proposed; and give you besides, by an almost unanimous vote, their full assent that the Civil List, both in its amount, and in the offices for which it provides, shall be left to the Government and the Governor-General, when he has to arrange the new United Government. You have now, therefore, the full consent of the Legislature of both Provinces to the settlement of this great question, and can announce it to Parliament and the country in your Speech, if the packet only arrives in decent time. The rest is your own affair. But I must anxiously implore you to lose no time. After fifteen years of trouble and contest, you have now the golden opportunity of settling the affairs of Canada upon a safe and firm footing, insuring good government to the people, and securing ample power to the Crown, and that *with their own consent*, accompanied by a request that no further appeal should be made to them upon the subject. If it be not now seized, I tell you the occasion will never rise again, and you may as well give up the Provinces at once.

"It is impossible to describe to you the difficulties I have had to contend with to get this matter settled as it has been in the Assembly. I owe my success altogether to

1839. the confidence which the reform party have reposed in me personally, and to the generous manner in which they have acted by me. A dissolution would have been greatly to their advantage, because there is no doubt that they would have had a great majority in the next Assembly; and it must have been most galling to them to see me, as well as themselves, opposed by a number of the placeholders without my turning them out. But they gave up all these considerations; and in this country, where the feeling of hatred to the family compact is intense, they are not light, and went gallantly through with me to the end. The journals of the proceedings in the Assembly, which I send you, will show you the sort of opposition I have had. To the Union itself there are not more than eight or ten out of the whole House who are opposed,—all the family compact; but these few contrived to propose all sorts of things to which they knew I could not assent as conditions to its acceptance, in order to secure the votes of the placemen, and some few others, who were pledged last session to these foolish stipulations. But the reformers and the moderate conservatives, unconnected with either the compact or with office, kept steady; and the result has been that on every occasion the opposition were beaten hollow, and all their proposals rejected by large majorities. I had dissolution pressed upon me very strongly, and there is no doubt that with it I could have got over all difficulty; but then I must have made up my mind to great delay, and I doubt whether the measure would have gone home in time for you to legislate. However, thank God, it is all right at last, though I assure you the anxiety and fatigue have been more than I like.

"I am much wanted at Montreal; but I think I shall stay on here for three weeks or a month longer, in order to try my hand at the clergy reserves. My popularity is just now at its utmost height, and it may be possible to use it for that purpose. The House adjourns to-day, and I shall employ this week in trying whether I can bring

people together upon any decent plan of settlement. But 1839.
I confess I am not sanguine; for there are as many minds almost as men, and they are all dreadfully committed, both in the House and with their constituents, upon this question, for twenty different projects. If it were possible, however, to come to some conclusion which would not be addressed against in England, it would be the greatest boon ever conferred on this province, for it causes a degree of excitement throughout it which is scarcely credible. I will at least make some attempt at it, if possible."

And to another correspondent he wrote, under date of the 31st Dec. 1839—

"I have done my business. The Union is carried triumphantly through the Legislature of both Provinces. And it now only remains for Parliament to do its duty, and pass the Bill which I shall send home. It has not been without trouble, and a prodigious deal of management, in which my House of Commons' tactics stood me in good stead, for I wanted above all things to avoid a dissolution. My ministers vote against me. So I govern through the opposition, who are truly 'Her Majesty's.' ...
"It is something to have completed my business before I get an answer to my announcement of arrival in the country. Just two months from the day of my landing at Quebec the Assembly sent me their final address, completing the chain of assents which I required.

"We have now winter in good earnest here. Snow three feet deep, and twenty degrees of frost. Still it is very possible to walk with worsted stockings over one's shoes, and I get about an hour of it when I can. This is all my *délassement;* so my life is not gay."

Having disposed of the principal question with which his mission was connected, the Governor-

1840. General, as he had announced in his private letter, directed his attention to the settlement of the irritating and still more difficult question respecting the clergy reserves. This question, which had been in debate in Upper Canada for twenty years, had produced in the minds of the inhabitants all the soreness and excitement which universally attend religious questions. The debate had originally been raised by the members of the Scotch church, who regarded it not merely as a question of property, but as involving their position as an established church. The claim, however, which they put forward in the first instance had since been assumed and insisted on by the other Protestant communities in the province; so that the discussion had long enlisted almost the whole population on one side or the other.

It had for many years been the endeavour of the Government to bring this irritating discussion to a settlement, and bills had been introduced in each successive session for the purpose. But hitherto the divisions in the house had frustrated all attempts; each party, though too weak to carry its own measure, being strong enough by uniting with others to throw out what was proposed by its opponents. In this way agitation had been kept alive, until, among the causes which led to the discontent that preceded the insurrection, the clergy reserve question was universally believed to have been one of the most important.

But, apart from the general expediency of settling

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this question at any time, there were special considerations which made it extremely desirable to bring it to a conclusion before the Union of the Provinces. It was the one great grievance of Upper Canada, the ever-rankling wound which forbade all hope of the restoration of a healthy state of public feeling. Whatever changes in the constitution might take place, so long as this irritation was unremoved, peace and harmony could not be hoped for. But it was evident that the future destinies of Canada, as a part of the British dominions, depended mainly on the immediate success of the experiment about to be tried. In England a feeling had of late years grown up, and had not been without its advocates in Parliament, that the retention of Canada was impossible, except at the sacrifice of all that made its possession valuable. There could be little doubt that if the Union should fail at once in restoring tranquillity, and if it should become necessary again to invoke the interference of Parliament, this feeling would increase and extend; while those who entertained it would have neither the time nor the means, nor perhaps even the inclination, to inquire into the origin of the failure, or to ascertain whether it were attributable to temporary or permanent causes. Nor were there wanting many who saw, in the unsettled state of the clergy question, the most serious objection to the Union itself. Many conscientious persons feared that as the latter measure would introduce into the united legislature a considerable body of Roman

1840. Catholic members, the interests of the Church of England, and generally of the Protestant communities, might be exposed to danger. That these fears were groundless it is unnecessary to say to any one acquainted with the French Canadians, and their entire freedom from the disposition to religious intolerance; but the objection was plausible, and both in Upper Canada and in the mother country was likely to have weight with many who, on other grounds, would support the Union.

Influenced by these considerations, the Governor-General determined to introduce into the Assembly a bill for the final disposal of these reserves. He was not, as we have seen, unaware of the difficulties which surrounded such a measure, nor of the little advantage which had attended the efforts of successive Lieutenant-Governors of Upper Canada. Nor could he be insensible to the fact that while the credit of his administration, at least in England, would receive but slight additional lustre from success, it would suffer a very serious damage from failure. But the result was too important to be affected by any selfish considerations, involving as it did nothing less than the future prosperity and peace of the country.

The favourite scheme, with the majority of the Upper Canadians, had long been the application of the reserves to general education; and bills for that purpose had been repeatedly passed by the Assembly, but had failed in the Legislative Council. To such a measure Mr. Poulett Thomson

1840. was opposed: first, because it would have taken away the only fund exclusively devoted to purposes of religion; and secondly, because even if carried in the provincial legislature it would evidently not have obtained the sanction of the Imperial Parliament. He, therefore, entered into personal communication with the leading individuals among the principal religious communities, and after many interviews succeeded in obtaining their support to a measure for the distribution of the reserves among the religious communities recognised by law, in proportion to their respective numbers. A bill embodying this principle was introduced in the Assembly, and carried both in that house and in the Council by considerable majorities. Its operation, however, was suspended under the provisions of the Constitutional Act, until it should have been laid before the Imperial Parliament, and have received the special confirmation of the Crown; and subsequently, when it was before the House of Lords, a reference on the subject having been made to the Judges, it was decided by that high authority that its provisions exceeded the legislative authority of the colonial parliament. It was accordingly not sanctioned by the Queen; but another bill to effect the same object, and embodying the same principles, was introduced by the Government in the House of Commons, and passed by the legislature. Thus, although the law as it actually stands was not the immediate result of Lord Sydenham's labours; yet,

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as its provisions were based on his measure, and as without the guidance and sanction which that measure afforded it would have been impossible for the Imperial Parliament safely to legislate in the matter, nor indeed would the attempt have been made, the credit of the settlement is justly due to him.

The public despatches of Mr. P. Thomson on this subject will be found in the papers printed for Parliament in 1840; but it may not be uninteresting to show from his private letters the importance which he attached to it. With this view the following extracts have been selected from among many similar passages. Writing while the Bill was still before the Legislative Council, he says —

"The Clergy Reserves have been, and are, the great overwhelming grievance — the root of all the troubles of the province, the cause of the rebellion — the never-failing watchword at the hustings — the perpetual source of discord, strife, and hatred. Not a man of any party but has told me that the greatest boon which could be conferred on the country would be that they should be swept into the Atlantic, and that nobody should get them; for after all there is little to divide,—there will be nothing, after deducting the charges, for the next ten or twelve years; but the difficulty lay in the settlement. And when to this never-failing source of excitement here you add the consideration that by the Union, if you left the question unsettled, you would throw the agitation of it into the Lower Province, where, amongst all its ills, the greatest of all, religious dissension, is hitherto unknown, the necessity for a settlement becomes doubly great. Thank God, I shall achieve it. My Bill, of which I sent you a copy, has gone through the Assembly by a considerable

majority, thirty to twenty, and I feel confident that I can get it through the Council without the change of a word. 1840.

"If it is really carried, it is the greatest work that ever has been done in this country, and will be of more solid advantage to it than all the loans and all the troops you can make or send. It is worth ten Unions, and was ten times more difficult.

"You will laugh at me; but if it were possible to make you understand the state of feeling upon this subject, and the evils which this question has caused, which you cannot do, you would not. I confess, too, that I had little hopes of succeeding in the Assembly. For fifteen years every Governor has only made the matter worse; and though I might have got the Council to agree to giving the funds to education, I never thought I could get the Assembly, which for thirteen years has voted for that and against religious purposes, to consent to such a plan. But I told you that I would work to some purpose, and I have done it. Ten members, who had always before voted for education or public works, voted generously for me this time, though they may lose their seats by it."

In a subsequent letter he adds,—

"The Council has voted my Bill by fourteen to five. To-day I have received the addresses of both Houses, and the Bill has gone home to you. The Bishop has excited his Clergy to petition against it, so you will have an address moved in the House of Lords. You will remember that it is to Dr. Strachan that we owe this matter being still open. Fifteen years ago he might have settled it, if he would have given any thing to the Church of Scotland. I have put a history of this question into a despatch, which you can lay before both Houses. If the Lords reject the Bill, upon their heads be the consequences. I will not answer for the Government of the Province, if the measure should come back. In case there

1840. is any blunder made by the lawyers, you must re-enact the Bill in England; for here it cannot come again without the most disastrous results."

The session closed on the 10th February, 1840, having exhibited for the first time in Canada the working of a government majority on the same principles on which the parliamentary business is conducted in the mother country. In the course of it the question of Responsible Government had been necessarily brought into debate in the Assembly; and an address had been adopted praying for communication of the views of the Home Government on that subject. The Governor-General refused to lay before the House any despatches, feeling that such a course would only give rise to exciting and unsatisfactory debates; but he stated in his answer, "that he had received her Majesty's commands to administer the government of these provinces in accordance with the well-understood wishes and interests of the people, and to pay to their feelings, as expressed through their representatives, the deference that is justly due to them." This answer, which, when taken in connection with Lord J. Russell's despatch of 16th October, 1839, conceded the principle of responsibility as far as it had ever been demanded by the moderate reformers, was perfectly satisfactory to them, and secured to the Government their cordial support. In the speech with which he closed the session, the Governor-General expressed his gratification at the improved state of feeling in the province, and

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his gratitude for the attention given to the important subjects which he had brought under the notice of the legislature. He concluded in the following terms:—

"On your return to your different districts, I earnestly hope that it will be your endeavour to promote that spirit of harmony and conciliation which has so much distinguished your proceedings here. Let past differences be forgotten—let irritating suspicions be removed. I rejoice to find that already tranquillity and hopeful confidence in the future prevail throughout the Province. Let it be your task to cherish and promote these feelings: it will be mine cordially to co-operate with you; and by administering the Government in obedience to the commands of the Queen, with justice and impartiality to all, to promote her anxious wish that her Canadian subjects, loyal to their Sovereign, and attached to British Institutions, may, through the blessing of Divine Providence, become a happy, an united, and a prosperous people."

His private letters expressed the same feelings.

"I have prorogued," he says, "my Parliament, and I send you my Speech. Never was such unanimity! When the Speaker read it in the Commons, after the prorogation, they gave me three cheers, in which even the ultras united. In fact, as the matter stands now, the Province is in a state of peace and harmony which, three months ago, I thought was utterly hopeless. How long it will last is another matter. But if you will settle the Union Bill as I have sent it home, and the Lords do not reject the Clergy Reserves Bill, I am confident I shall be able to keep the peace, make a strong Government, and get on well. It has cost me a great deal of trouble, and I have had to work night and day at it. But I was resolved on doing the thing."—"The great mistake made here hitherto was, that every Governor threw himself into the hands of one

1810. party or the other, and became their slave. I have let them know and feel that I will yield to neither of them—that I will take the moderate from both sides—reject the extremes—and govern as I think right, and not as they fancy. I am satisfied that the mass of the people are sound—moderate in their demands, and attached to British institutions; but they have been oppressed by a miserable little oligarchy on the one hand, and excited by a few factious demagogues on the other. I can make a middle reforming party, I feel sure, which will put down both.

"You can form no idea of the manner in which a Colonial Parliament transacts its business. I got them into comparative order and decency by having measures brought forward by the Government, and well and steadily worked through. But when they came to their own affairs, and, above all, to the money matters, there was a scene of confusion and riot of which no one in England can have any idea. Every man proposes a vote for his own job; and bills are introduced without notice, and carried through *all* their stages in a quarter of an hour! One of the greatest advantages of the Union will be, that it will be possible to introduce a new system of legislating, and, above all, a restriction upon the initiation of money-votes. Without the last I would not give a farthing for my bill: and the change will be decidedly popular; for the members all complain that, under the present system, they cannot refuse to move a job for any constituent who desires it."

On the close of the session, the Solicitor-Generalship having become vacant, the Governor-General offered it to Mr. Baldwin, a gentleman who was regarded as the leader of the liberal party of Upper Canada. Mr. Baldwin had formerly been called to the executive council by Sir F. B. Head, but had almost immediately retired, on the ground that his advice was not asked in the conduct of the Government,

and that he would, therefore, by remaining, become responsible in public opinion for measures over which he had no control. Since that time he had taken little part in politics; but, as his excellent private character and unimpeachable integrity gave him much influence with his party, his accession to the Government promised to bring with it a considerable addition of strength. Mr. Baldwin accepted the office of Solicitor-General, but was not at this time replaced in the executive council. 1840.

Having waited only sufficient time to complete those matters which the parliamentary session left in progress, Mr. Poulett Thomson, on the 18th February, left Toronto for Lower Canada, and reached Montreal on the evening of the next day. The distance, which is 360 miles, was performed in a covered sleigh in less than thirty-six hours, being probably the most rapid journey ever made in Canada over the ordinary winter roads.

In Lower Canada, no less than in the Upper Province, the uneasiness which had heretofore prevailed had by this time begun to yield to the feeling of security which the tranquillity of the early part of the winter had tended to produce. In a climate like Canada, where, in the winter, military operations are almost impossible, and the Government, therefore, comparatively defenceless, that season will naturally be chosen by those who may purpose to disturb the public peace. Accordingly, in the years 1837 and 1838, the month of November had heralded in those outbreaks which had been put

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down at St. Charles and Odell Town; and at the return of the same month in the year 1839, rumours of projected insurrections, and of attacks from the United States' frontier, had reached the Government from many quarters. Those who were in Canada at this date will bear witness to the dread with which the winter season was not unnaturally looked forward to, particularly by the rural population; among whom an impression had begun to prevail that its return would always be signalised by insurrectionary movements within the province, or "sympathizing" outrages from without. Such had been the alarm thus created, that even after the first outbreak many families living near the American frontier had left their homes to seek in a more distant part of the country a securer habitation; and the second insurrection had naturally tended to increase these feelings. It had therefore become indispensable, at any risk, to break the spell, and thus to stop the alarm which would in course of time have depopulated the frontier districts of the country. It was under such circumstances that the Governor-General had, previously to leaving Montreal in November, 1839, re-enacted the suspension of the Habeas Corpus; and few will be disposed to assert that in the then existing circumstances of Lower Canada, and in defiance of the opinions of those on the spot, Mr. P. Thomson would have been justified in refusing to assume the responsibility of that measure, especially when he was about to leave the government in the hands of another. But the tranquillity which prevailed during this winter having removed the necessity for continuing this suspension, the ordinance which had been passed for that purpose was allowed to expire in the spring of 1840, and the administration of justice was relieved from this last evidence of the late disturbances.

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Following up the principle which had guided him in Upper Canada, the Governor-General, shortly after his arrival in Montreal, had summoned the Special Council to meet at that city for the settlement of such questions of purely local interest as could not without inconvenience be left for the United Legislature. Writing from Montreal on the 13th March, 1840, he thus describes the task then before him:—

"I have been back three weeks, and have set to work in earnest in this province. It is a bad prospect, however, and presents a lamentable contrast to Upper Canada. There great excitement existed; but at least the people were quarrelling for realities, for political opinions, and with a view to ulterior measures. Here there is no such thing as a political opinion. No man looks to a practical measure of improvement. Talk to any one upon education, or public works, or better laws, let him be English or French, you might as well talk Greek to him. Not a man cares for a single practical measure—the only end, one would suppose, of a better form of government. They have only one feeling—a hatred of race. The French hate the English, and the English hate the French; and every question resolves itself into that and that alone. There is positively no machinery of government. Every thing is to be done by the governor and his secretary.

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There are no heads of departments at all, or none whom one can depend on, or even get at; for most of them are still at Quebec, and it is difficult to move them up here, because there are no public buildings. The wise system hitherto adopted has been to stick two men into some office whenever a vacancy occurred; one Frenchman and one Britisher! Thus we have joint Crown surveyors, joint sheriffs, &c., each opposing the other in every thing he attempts. Can you conceive a system better calculated to countenance the distinction of race?"—"The only way, under these circumstances, in which I can hope to do good, is to wait for the Union, in order to get a Government together; and that I shall do. Meantime, what I am chiefly anxious about now is to get a good division of the province for judicial purposes, which I shall make fit in with the proposed municipal districts. I hope to get an entirely new system of judicature, introducing circuits for the judges, and district courts for minor civil causes. I have already established stipendiary magistrates; and a rural police in this district, commenced by Lord Seaton, I mean to extend generally over the whole province in a few weeks by an ordinance. The hand of the Government is utterly unknown and unfelt at present out of Montreal and Quebec, and not the slightest means exist of knowing what is passing in the rural districts. It is with this view that I have proposed, and attach the greatest importance to, the establishment of lieutenants for each municipal district, who shall likewise preside over the council. This is very necessary in Upper Canada, but indispensable here. You will see that I propose to reserve a power, in my Bill, to appoint one or two deputy-governors or lieutenants, with such powers as the Governor-General may see fit to delegate. This is essential. The province is 1000 miles long, and without some one at each end on whom we can confide it will be impossible to manage. Very good men may be got, for 1000*l.* a-year at the outside, for what I want."

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Among the other measures occupying his attention at this period, and which he proposed to effect by ordinance before the establishment of the new constitution, was the incorporation of the cities of Quebec and Montreal, of which the former corporations had been allowed to expire during the dissensions of 1836, —and the incorporation of the seminary of St. Sulpice, in order to provide for the gradual extinction of seigneurial dues in the city and island of Montreal. The importance of reviving the corporations of the two principal cities of Lower Canada needs no comment,—the necessity and justice of incorporating the St. Sulpice seminary to enable them to obtain an equitable commutation of their dues, was scarcely less imperative. This society, originally established in 1663 for the conversion of the Indians, and the ecclesiastical superintendence of the Island of Montreal, and endowed by the French Crown with seigneurial rights over the whole of that island, had, since the conquest of Canada, continued on sufferance to retain their former possessions and dues, notwithstanding that, in the capitulation of Quebec, their claim to do so had been specially reserved for the King's future decision. But as their legal existence as a corporation was doubtful, they had great difficulty in enforcing disputed claims, and were incapable of commuting their dues with their tenants. It would certainly have been in the power of the Crown to have taken advantage of the defect in their title, and to have supplanted them in their seigneurial capacity; but such a proceeding

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towards a body instituted purely for religious and charitable purposes, and against whose faithful discharge of their duties not a suspicion could be breathed, would have been grossly unjust and impolitic. At the same time the continuance of the seigneurial tenure in a growing commercial city was exceedingly inconvenient, and the government had therefore long been anxious to commute this tenure on equitable terms. A report on the subject had been furnished by the Canada commissioners of 1836, and a definite arrangement had been settled with the seminary by Mr. C. Buller, chief secretary to Lord Durham; but the limited legislative powers then possessed by the Special Council prevented its being carried into effect; and it accordingly remained for Lord Sydenham to pass an ordinance for that purpose. In so doing he strictly adhered to Lord Durham's agreement. A strong opposition was got up to the measure by the ultra British party in Lower Canada, and their sentiments on the subject were re-echoed in the House of Lords by the Bishop of Exeter, who, however, was unable to obtain the assent of that house to an address to the Crown against the ordinance. Our readers can hardly have forgotten the remarkable debate which then took place, nor the testimony borne by noble lords on both sides of the house to the justice of the claims of the seminary. A more exemplary, self-denying, virtuous body of ecclesiastics, it would be impossible to find in any part of the world. They have always been

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distinguished for their loyalty and attachment to Great Britain; and during the rebellion no effort was omitted on their part to bring back their flocks to their allegiance, as no exertion had previously been wanting to prevent the outbreak.

Up to this time the circumstances of the two rebellions had almost entirely excluded from power the leading members of the French Canadian party. But, anxious if possible to draw a veil over the past, and to prepare the way for a favourable acceptance by that people of the new institutions about to be conferred on them, the Governor-General desired at this date to associate to his government some of the principal individuals of that extraction. He accordingly offered to Mr. Lafontaine, who was considered as the leader of the party, the solicitor-generalship of Lower Canada, then vacant; explaining to that gentleman at the same time his political views and intentions as to the future government of the country. Mr. Lafontaine, being vehemently opposed to the Union, declined the offer, and the negotiation led to no result. But on a subsequent occasion, more than twelve months afterwards, Mr. Lafontaine having been defeated at his election for the first Parliament after the Union, felt himself justified, on what principles it is not easy to understand, in publishing in the papers his recollections of the conversation between himself and Lord Sydenham, naturally giving to it, at that distance of time especially, the colour of his own

1840. feelings and impressions. Yet, even so distorted, the whole conversation shows that Lord Sydenham was then, as he had always been, desirous to protect the French Canadians in a fair share of political power, and to maintain their equality with their fellow-subjects.

The session of the Special Council continued till the end of June.* Writing from Montreal on the 27th of that month, Lord Sydenham says,—

* The following extract from a private letter will show the close attention of the Governor-General to public business during this interval, as well as the nature of the occasional relaxations which he allowed himself:—

"June 15. 1840.

"You ask about my health. It is better than it has been for years, which I attribute to the very regular life I lead, and to the absence of House of Commons atmosphere. Then, to be sure, if it were not for the interest I take in my business, and the quantity of it, it would be a dull life enough. Work in my room till three o'clock; a ride with my aide-de-camp till five; work again till dinner; at dinner till nine; and work again till early the next morning. That is my daily routine. My dinners last till ten when I have company, which is about three times a week; except one night in the week, when I receive about 150 people, who dance, sing, amuse themselves, and rather bore me.

"I have done myself some good by a little excursion I made last week up the Richelieu, and so round by St. John's and the railroad back;—three days of air and exercise. The weather was lovely, though very hot, especially for riding. The mode of going about is convenient enough. I took a small steamer, which carried one's horses, so that I could leave the boat whenever I pleased, and ride into the country to see the different places I wished to visit away from the river. Those counties bordering the Richelieu were formerly the garden of Lower Canada; the soil rich to a degree; but they are now used up completely by the abominable mode of cultivation pursued by

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"I have closed my Special Council, and send you home my ordinances. They have done their work excellently well, thanks to Stuart and my new solicitor-general, who turns out admirably." . . . . "I have passed some, but not all the measures which are indispensable previous to the Union. The Registry Bill still remains; but that I shall get through in the autumn, after it has been for two or three months before the public, which was the course I adopted with the Judicature Bill, and found most advantageous. Education also stands over; for it is impossible to do any thing in that until we get the municipalities erected in the districts."

And to another correspondent he writes,—

"I have been very much occupied here making great changes in the laws of the Province preparatory to the Union, and have had infinite trouble; but I have carried three or four great measures on large and extended principles, which the people here are not quite capable yet of comprehending, but which they will see the benefits of when they are in operation. Nothing but a despotism could have got them through. A House of Assembly, whether single or double, would have spent ten years at them."

Immediately afterwards he left Montreal for Quebec; whence, in a few days, he sailed for Nova

the *habitans*, and present a melancholy picture: the population rapidly increasing, and the people unwilling to quit their neighbourhood to settle on new land, until actually starved out. The physical state of the people is, however, even better than their moral condition. Their ignorance and credulity are unbounded, and no wonder they became the victims of the agitators who stirred them up to rebel in 1837 and 1838; for all this district was the focus of the outbreak. To be sure, a miserable outbreak it was; put down with the utmost ease by a single regiment."

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Scotia, the government of which he had received the Queen's commands temporarily to assume, in order to put an end to collisions which had arisen between the Executive Government and the House of Assembly.

In Nova Scotia, as in Upper Canada, the population had gradually outgrown the monopoly of power in the hands of a few large families, which seems to be the almost necessary condition of colonies in their infant state. There, as in Upper Canada, the popular branch of the legislature, chafing against the passive resistance of the executive, had addressed the Crown in language which, under a better system, would probably never have been heard. They had asked for the removal of their governor, and had not obscurely hinted at the stoppage of supplies. These were evidently the signs of a coming storm; and the Home Government, determining at once to anticipate and arrest it, confided the settlement of the difficulties to the Governor-General, leaving him a full discretion as to the measures to be recommended. He arrived in Halifax on the 9th July; and having been sworn into office, entered immediately on the task committed to him. After an unrestricted communication with the officers of the Government on the one hand, and the popular leaders on the other, he was enabled on the 27th July, a fortnight only after his arrival, to recommend to Lord John Russell certain changes in the legislative and executive councils of the province, which, having been subsequently carried into

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effect under the administration of Lord Falkland, have entirely reconciled the previous dissensions. Since that time the province of Nova Scotia has been free from internal disturbance; and, however distasteful the changes may have been to particular individuals, they have been undoubtedly satisfactory to the great body of the inhabitants. Thus by a frank admission of not unreasonable or illegitimate demands, all those heartburnings and dissensions by which other colonies have been distracted, and which no after-concessions have been sufficient to allay, were avoided in Nova Scotia.

The principles on which the Governor-General proceeded in this instance cannot be better explained than in his own words. In a letter dated 27th July 1840, he thus writes:—

"I will briefly recapitulate the principle on which I think the changes I recommend should be made, and the mode in which I am of opinion they should be carried into effect.

"The defects in the present system seem to me to be, that the Executive Council is composed in a way which, whilst it has created dissatisfaction, has afforded the Government no assistance or strength whatever;—that we do not derive from our officers that aid in the management of public affairs in the legislature which is absolutely indispensable for the conduct of them in the colony;—that, as a necessary result of this, the Government does not and cannot perform what is in my opinion one of its first duties, viz. propose and submit to the legislature, with the full weight of its authority, whatever measures may appear to be called for for the good of the province, and the very consideration of which would divert men's minds from the

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agitation of abstract points of government such as we have seen raised here.

"The principle on which I would proceed is, first, to compose the Executive Council in such a way that it should comprise only the leading official servants of the Government, and a few of the most influential members of either House—but especially those of the House of Assembly; and, next, that the law officers of the Crown, and any other public servants whom it may be desirable to make use of in that way, should be required, when necessary, to become members of the Assembly, as well as of the Executive Council, in order to afford their assistance there; and that their whole undivided time and talents should be at the disposal of the Government.

"Acting upon this principle, I have proposed to remove from the Executive Council all the gentlemen who are not members of either House; to take in the Attorney-General, and to add to it some influential members of the Assembly or Council. The gentlemen who would go out would not feel themselves personally aggrieved, as they are excluded only because they do not fulfil the conditions of the appointment. Their honorary distinction may be left to them as a mark of respect. I have also recommended that the collector of customs should cease to be a member of the Council. On the other hand, I shall suggest that Mr. * * * be reinstated in the Council, and Mr. —— and some other member from that party be added to it. I should myself have been glad to replace Mr. ——; but I understand objections are entertained to this, and I therefore would not wish to press it. Some other member, however, of that party should be substituted. The declarations publicly made by Mr. * * *, with respect to his former agitation of responsible government, entirely remove all objection to him which existed on that score.

"I next deem it indispensable that the Attorney-General should give up the chair, and should devote his whole time and talents to the duty of the office and support of the Government in the Assembly of which he is a member. This he is willing to do; and it would be very desirable that the Solicitor-General should also become a member of the Assembly, if his health permitted it.

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"In the Legislative Council I think that one or two additions should be made from the popular party, in order to remove the imputation of an exclusive character now attached to that body. But I am not prepared to suggest the persons.

"With these changes I feel satisfied the Government will acquire the necessary strength in the Legislature; and if the proper direction be given to their labours, and due firmness evinced in controlling them, the Council will prove a very useful and powerful engine in the hands of the Governor. They will afford no triumph or victory to either party; and I am satisfied they will meet the views and wishes of the Government at home, because they carry out the wishes expressed by Lord John Russell, that such modifications should be made in the Executive and Legislative Councils as might bring those bodies more into harmony with the general opinions of the popular branch of the Legislature, and introduce into them some of those who exercise influence there."

To Lord John Russell he wrote at the same time as follows:—

"Halifax, 27th July, 1840.

"My dear Lord John,

"I have put matters quite right for you for the present in Nova Scotia. Except a few persons without the slightest influence in the Colony, all is now peace and harmony. I read people, parties, Assembly and all, a good lecture in an answer I gave to an address, of which I hope you will approve.* At least the people here do so as fully as I

* The Address and Answer referred to are as follows:—

"To His Excellency the Right Honourable Charles Poulett

1840. could wish, and I have not the least doubt that there is no colony in the British dominions that can be governed more easily than this.

Thomson, Member of Her Majesty's Privy Council, Governor-General in and over the British Provinces of North America, &c.

"We, the inhabitants of the town of Halifax, offer our congratulations to your Excellency on your arrival in Nova Scotia, and beg leave to express the high sense we entertain of the manner in which you have discharged the important duties of Governor-General of the British Provinces of North America.

"The impartial consideration of all subjects connected with the prosperity and social advancement of these Provinces, which has invariably characterised the Government of Great Britain, demands an expression of gratitude; and we should ill represent the feelings of Nova Scotians, if we did not assure your Excellency of our high respect for you as the Representative of our Sovereign and the head of this Government.

"It is our pride to belong to a nation rendered so conspicuous by the commanding influence she possesses throughout the world; and, while we cherish the hope that affection and attachment for the person and Government of our Sovereign will secure for us and our children a continuance of the blessings we enjoy under our unrivalled Constitution, we feel assured that the wise provisions of your Excellency, in the Government of the Colonies committed to your care, will cement those ties which now bind us together, contribute to our welfare and prosperity, and remain a lasting testimonial of your ability and experience."

Answer.

"GENTLEMEN,—I beg you to accept my warm acknowledgments for your address.

"In obedience to the Queen's commands, I have visited Nova Scotia; and although my stay within this Province must necessarily be short, and is not unaccompanied by the sacrifice of other duties, I shall consider myself amply rewarded if my presence here shall tend to your future advantage, by enabling me to reconcile differences which unhappily appear to have

"I have told you in a dispatch, as fully as I can in such a document, the causes of this mighty storm in a very 1840.

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prevailed, and to remove misunderstandings, in which alone I feel satisfied they have originated.

"You have been pleased to express your approbation of my discharge of my duties since I have assumed the Government of British North America. My earnest endeavour has been to put an end to personal and party feuds, and to lead the people of these Colonies from fruitless and idle disputes upon theoretical points of Government to the consideration of their real and personal interests—the amelioration of their laws—the advancement of their commerce—and the improvement of their country.

"It is the anxious desire of the Queen that her British North American subjects should be happy and prosperous—that they should enjoy that freedom which is the birthright of Britons, and bless the tie which binds them to her Empire.

"Her commands to her Representative are, that he should consult their wishes and their feelings—that he should promote their interest by well-considered reforms—and suit his administration of affairs to the growing importance and varying circumstances of each Colony; that, whilst it should be alike his interest and his duty to listen respectfully to the opinions which may be offered to him, and to seek the advice of those who may be considered to represent the well-understood wishes of the people, he can devolve the responsibility of his acts on no man, without danger to the connection of the Colony with the Empire, and injury to the best interests of those whose welfare is committed to his care.

"It is in obedience to these commands, and in the spirit of the declarations of her Majesty's advisers, and of myself, that I have humbly endeavoured to discharge my duty to the Queen and to these Colonies.

"I feel confident that the people of Nova Scotia, distinguished for their loyalty to their Sovereign, and proud of their connection with the British Crown, will yield to no attempt to inspire them with other feelings, or to lead them to demands incompatible with these principles.

"My acquaintance with your affairs has deeply impressed

1840. small ocean, and the mode I have taken to quell it, as well as what I recommend to be done. . . . . There are

me with the conviction of the injury which must be inflicted upon your real interests by the contentions which we have to deplore.

"I find in Nova Scotia all the elements of prosperity. You possess an overflowing Treasury, under a system of taxation which may well be envied by your fellow-subjects at home; you enjoy liberty equal, if not superior, to theirs; industry may find on your shores not merely a bare return, but an ample reward; the Crown has conferred on you, by your Constitution, the most ample power for securing good laws, and in the exercise of its controul it seeks your advancement and your interests alone.

"It is to the right use of this power, and to the improvement of these advantages, that I would earnestly draw your attention. That much may be done by yourselves for your own benefit is obvious. The imperfection of your judicial system—the necessity for municipal government—the abuses which disgrace the administration of those resources which you believe to be devoted to public improvements—these and other subjects are matters of vital importance to you.

"Permit me, then, to take this opportunity, through you, to impress on the people of this colony these my honest convictions. It is the duty of the Representative of the Crown, and of those who are responsible to him in the administration of your affairs, to lead the way in improvement, and to submit for adoption whatever may be calculated to remove abuses or promote your advantage; and the Queen will expect from him a faithful discharge of these duties. But upon your co-operation must depend the success of his endeavours, and his efforts can fail or succeed, only in proportion to your readiness to support and assist him in the task.

"Whether charged with the immediate administration of your affairs, or called on only for more remote superintendence and advice, I shall ever be ready to offer my best assistance in advancing these objects; and to whomsoever these duties belong as the Representative of our Sovereign, you may confidently rely upon his carrying out her beneficent wishes for the prosperity and contentment of her people within this Province."

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no parties here before the public in the way we understand them, or as they exist in Canada. At least five-sixths of the Assembly care nothing about politics, and think only of their roads and bridges. There are half a dozen men of some ability on both sides, who have unfortunately all been alienated instead of conciliated to the Government. The Crown officers are excellent men, liberal and popular, but no power was given them, and their advice neither taken nor sought . . . . so that in the Assembly the Governor has lately possessed not even one solitary friend to stand up for him, or affect to do the Government business. In this state of things it is not surprising that the Assembly ran riot, or that the disappointed ambition of a few individuals led them into extreme measures.

"But I have calmed all this for the present. The leaders on both sides (I mean of course the parliamentary leaders, for I can recognise no others) are entirely satisfied with my recomposition of the Council, and I should have proceeded to carry it into effect myself, if I had not found the people perfectly reasonable, and willing to wait. I have therefore thought it best to do nothing myself, and to leave you the opportunity of sending out directions to make the changes I have proposed."*

* In order to facilitate the changes suggested by Lord Sydenham to the Colonial office, Sir Colin Campbell, then the Governor of Nova Scotia, to whom probably it would have been personally unpleasant to carry them into execution, was removed to the Government of Ceylon, and replaced by Lord Falkland in the month of October, 1840, under whose management the affairs of that colony still continue. The following passage of a letter from Lord Sydenham to Lord Falkland in the following year will explain some of the difficulties in Colonial administrations with which his experience in Canada had made him acquainted, and the temper in which he was accustomed to meet them: —

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Having paid a short visit to New Brunswick, and spent two days with its kind-hearted and hospitable Lieutenant-Governor, Sir John Harvey, the Governor-General returned to Canada; and shortly

"Montreal, 12th May, 1841.

"I have watched your proceedings with great anxiety, and am most gratified at the result. I think it in the highest degree creditable to your tact and judgment." . . . . . "I enter completely into the difficulties of which you speak in carrying out improvements, notwithstanding your *Governmental* majority, as they term that sort of thing in France. It is the misfortune of all popular governments in our colonies. The people are made legislators, before they have either intelligence or education to know how to set about their work; and as, under such circumstances, selfishness and a preference of their little local jobs to any views of general advantage must prevail amongst them, the progress of practical improvement cannot but be slow. But do not despair. You have certainly no grounds whatever to do so, for you have achieved a vast deal even in this your first session; and your power and influence will daily become more and more consolidated, especially when it is seen, as I know it will be, that you are most cordially supported at home. *That* is, indeed, nine-tenths of the battle. Your colonial ultra-Tories will soon give up their violence when they are satisfied of this. And the ultras of the opposite side may be kept in order. *When I find myself getting gloomy at the opposition of little petty interests to great improvements, and by the difficulty of making people understand what is really for the general benefit, I turn back to my own recollection of what was the condition of the House of Commons not many years ago, with reference to all the great improvements which we have either carried or raised to a position in which they must be soon carried; such as Parliamentary Representation, the Poor Laws, Municipal Reform, County Administration, the Tithe Question, both in Ireland and England, Slavery, Free Trade, &c., and I become very merciful towards these poor Colonists.* So advance steadily, and depend upon it you will succeed in your objects ultimately."

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afterwards made a tour through the eastern townships, a country unsurpassed by any part of the continent of America in beauty of scenery and fertility of soil. Hitherto a fear of the length of its winter has deterred emigrants from settling there; but as the seasons become moderated by the advance of cultivation, there can be no doubt that this most delightful portion of Canada, already settled almost exclusively by a population of British descent, will become a favourite resort of the emigrant. In his progress through these townships, Mr. Poulett Thomson was everywhere welcomed with enthusiasm, and received addresses of congratulation from all parties.* By this time the Union Act had passed the

* Extract from a private letter of 6th August:—

"These townships where I now am are really worth seeing. They are the only really valuable part of Lower Canada, outside the towns of Quebec and Montreal. But they are splendid! It is the scenery of the Wye and of Westmoreland; only finer than either or both. Hill and valley, mountains in the back ground, beautiful streams and lakes, and forests of *hard* wood, not pines, in the greatest luxuriance. The district is separated from the flat and sterile, though thickly inhabited banks of the St. Lawrence, by a strip of 50 or 60 miles of ugly country; and there this paradise (*in summer*) begins. But it is not susceptible of great improvement, because there is no water communication; and the produce therefore cannot be brought to market, except the cattle which can *walk*. Settlement, therefore, proceeds slowly, and will not advance much, especially with Upper Canada (which has all the luxuriance and the best water communications besides) bidding against it in the market of labour and settlement. The farms, however, are good; and the people (generally Americans or English) industrious and intelligent. My reception, to be sure, has been enough to put me in good humour with them; for I have done nothing for two days but

1840. British House of Commons, and there was every reason to expect that it would very shortly become law.

In the month of August, anxious to make himself acquainted with every part of the province under his government, he prepared for a tour through Upper Canada. He left Montreal on the 19th of that month; and passing up the St. Lawrence to Kingston, and thence by Hamilton and Niagara to Lake Erie, made the voyage up that Lake, and finally returned to Montreal by way of Toronto and the Rideau canal.* It is unneces-

pass under triumphal arches, and receive addresses of thanks and praise. I have done a good deal for this part of the country in the way of law-making, and they are proportionately grateful."

* Extract from a private letter of 27th August, 1840, dated Drummondville (the Falls):—

"Here I am on my road to the West, and with the windows and balcony of my rooms facing the most magnificent sight on earth, with beautiful weather; and, if they would only give me a minute's respite from business and show, very much disposed to enjoy myself. I arrived on Sunday, and mean to complete my week nearly. As for attempting to describe the Falls, it is impossible to convey any idea of them. Vulgarly they are only two great milldams, and in painting they can only appear so; but the effect they produce on the mind from their magnitude is indescribable.

"We have a host of Yankees, either in the house, or arriving daily from the opposite shore, a gun-shot off, to see Mr. Governor Thomson. You never saw or can imagine such a set of people; but they are great fun. I gave them a review yesterday of the 93rd, a Highland regiment in *kilts*, which delighted them not a little I guess. I overheard one of them say 'I guess these Britishers do it a'most as handsome as the Buffalo Citizen Militia!' Another said to me to-day, meaning,

1840. sary to say more of this progress than that in the course of it he entered into personal communication with people of all ranks and politics in every part of the Province, and that he every where received the most cordial and gratifying reception. A number of addresses were presented to him approving of the policy which he had followed, and of the provisions of the Union Act. Even at Toronto, where on his first arrival his reception, as will be remembered, had been the opposite to friendly—and where, since his death, his memory has been most violently assailed by a section of the inhabitants—a very complimentary address was adopted and presented to him unanimously. Whatever might be the motives of this address,—whether it proceeded from a sincere conviction of the benefits of his policy, or was dictated, as some have asserted, by a desire to conciliate his favourable consideration to

I presume, to pay me the highest compliment, 'I opinionate that you are very like our old Hickory' (Jackson)—'you *downs* them everlasting locusts of place-goers, and wo'nt stand no *up* but your own;'—pretty true, by-the-by. Yesterday on the balcony a Yankee lady was walking with her little girl; the child said, 'Mamma, I can't bear this.' Upon which mamma looked daggers at her, and said, 'How can you talk so before the Governor? You should say, I can't tolerate this.' Such is their delicacy of language. What it is, practically, you may imagine from the circumstance of my bed-rooms opening on a balcony that is common to the house; and there is not a young lady in the hotel who does not walk up and down staring into the window of the room, which is about 8 feet square, every morning whilst I am going through all the processes of my toilet."

1840. their claims to be the metropolitan city,—it is well worthy of notice. A copy of it is accordingly subjoined, together with the Governor's answer.*

* *Address of the Inhabitants of Toronto.*

"To His Excellency the Right Honourable C. Poulett Thomson, Member of Her Majesty's most Honourable Privy Council, Governor-General in and over the British Provinces of North America, &c. &c. &c.

"May it please your Excellency,—We, the inhabitants of the City of Toronto, beg to congratulate your Excellency on your return to Upper Canada, and to renew the expression of our devoted loyalty and attachment to her Majesty's Person and Government.

"We entertain a high sense of her Majesty's care for the welfare of her subjects in British North America, in having selected a statesman of your Excellency's superior attainments and abilities to administer the Government.

"We beg further to express our concurrence in the declarations which your Excellency has made of the principles upon which the Government of the Colonies shall be conducted.

"It has been a source of great gratification to us that your Excellency has personally visited the sister colonies of her Majesty on this continent, and that your Excellency has also made a tour through a great portion of this Province. In this we perceive an anxiety on the part of your Excellency to become acquainted with the position, climate, productions, and resources of the several Provinces, and from personal observation to ascertain not only their value to the British Crown, but at the same time to learn the wants of the people.

"We cannot permit the present opportunity to pass without expressing our thanks to your Excellency for the exertions which your Excellency has used in effecting those important changes in the regulation of the Post Office Department, and in the Tea Trade, as affecting these colonies, which have recently been concurred in by the Home Government at your Excellency's suggestion.

"Since your Excellency's assumption of the government of British North America, changes in the constitution of this

A twelvemonth had not yet elapsed since Lord Sydenham had landed at Quebec, and already all 1840.

Province and of Lower Canada have been effected, of such vital importance as will materially influence our destinies. During the progress of these proceedings various opinions have agitated the public mind, and approbation or opposition has been freely and openly given, as the parties agreed to or dissented from the great questions under discussion.

"The Imperial Parliament having enacted that a Legislative Union between Upper and Lower Canada shall take place, we trust that, whatever may have been the opinions of individuals upon the policy of so vital and important a change in our condition, all classes of people in either Province will, since our destinies have become united by the law of the land, bring into the discussion of all questions arising under this new condition of our affairs that spirit of loyalty, unanimity, and good feeling, which are so essential to the prosperity of every country.

(Signed) "JOHN POWELL, Mayor.
"P. PATERSON, Jr., Secretary."

Reply.

"Gentlemen,—I beg to thank you for your Address, and I am anxious at the same time to convey to the inhabitants of your city my warm acknowledgments for the kind reception they have afforded me on my return to Toronto.

"I receive with great satisfaction the expression of your concurrence in the principles upon which my administration of the affairs of these Provinces is conducted. These principles, opposed alike to the opinions entertained by extreme parties, I am determined firmly to maintain; and to exercise the power confided to me by the Queen in accordance with what I feel to be the real interests of the people, and what I believe to be also the deliberate and well-considered desire of the vast majority.

"I am gratified to learn that the Fiscal Measures which I have felt it my duty to recommend for the benefit of these Provinces have met your approval. You may rely upon my omitting no opportunity of urging upon her Majesty's Govern-

1840. the principal objects of his mission had been fulfilled. The details of the Union Act had been arranged and carried in the Imperial Legislature — the Clergy Reserve question had been settled — and throughout the Colony peace, good feeling, and hope had taken the place of agitation, dissension, and despondency. The description given by the Lieutenant-Governor of Upper Canada of the state of feeling in that province in September, 1839, has

ment, or the Imperial Parliament, any measures falling under their control which may conduce to the advantage or improvement of the Canadas.

"I have indeed derived the greatest pleasure from my visit to the various districts of Upper Canada. It has afforded me the means of making myself personally acquainted with different parts of the Province, and will, I trust, enable me to advance their interests; but above all, that visit has been most gratifying to me, as it has amply shown the feelings of the great majority of the inhabitants—their desire to conciliate differences—their determination to address themselves to the real interests of the country—and the confidence they are pleased to repose in the humble but honest exertions which I have made, and shall continue to make, for the improvement of this portion of her Majesty's dominions. I trust that the inhabitants of Toronto will emulate the general feeling of the Province by discarding violent party and personal feeling, and lend their willing assistance in the great work which is before us.

"Confident in the support of the people, whom I believe no less sincerely desirous of attention to their practical interests than they are opposed to renewed agitation upon theoretical points of government, I shall pursue the measures which appear to me calculated to promote the prosperity and advance the interests of the Colony; and my utmost ambition will be gratified if, through the blessing of Almighty Providence, I can see these fine Provinces take that station in the mighty empire of Great Britain to which they are justly entitled."

been quoted on a previous page; the change which had by this time taken place was testified by every address presented to the Governor-General during his progress in Upper Canada and through the eastern townships, and especially by that from the people of Toronto. Nor were there wanting other and more substantial evidences of this change in the stimulus to trade and emigration which had been produced by the existing tranquillity.* 1840.

On his return from Upper Canada, the Governor-General was met by the gratifying intelligence that, in acknowledgment of his services, the Queen had been pleased to raise him to the peerage by the title of Baron Sydenham of Sydenham in Kent and Toronto in Canada. Another triumph had also been prepared for him, which, however, the weak state of his health prevented. The citizens of Montreal,—those whose correspondents had twelve months before petitioned the throne against his appointment, and who were notoriously opposed in politics to the party to which in the mother country Lord Sydenham had belonged, yet, sensible of the benefits which they had derived from his administration, and anxious to repair the mistrust which

* There can scarcely be a surer test of the prosperity of such a country as Canada than the amount of immigration into it. The numbers who have arrived by the way of the St. Lawrence in the last five years were as follows:—1838, 3266; 1839, 7439; 1840, 22,234; 1841, 28,046; 1842, 44,374. In the two latter years there was also a considerable immigration from the United States.

1840. they had at first evinced, prepared to give him a public reception on his return. He was obliged, however, to decline this honour, having been attacked during his tour by his old enemy the gout.

The following extract from a private letter, dated Bay of Quinté, 18th September, 1840, shows his own feelings in respect to the country through which he had passed, and its prospects at that moment:—

"This tour has indeed been a triumph—a series of ovations. You can conceive nothing more gratifying than my progress through Upper Canada, especially in the west: nor, indeed, with one exception, any thing more fortunate; for I have had beautiful weather and good health, and have been able to keep my time very exactly at the different places, so as to receive all intended honours, and satisfy and please the people.

"That exception was Lake Erie. The Government steamer in which I embarked was altogether the filthiest and vilest concern which ever floated on water. *Admiralty, not* Provincial, of course; and my patriotism prevented me from hiring a Yankee steam-boat instead, which would have conveyed me safely and comfortably. We had a storm on the lake, and got very nearly lost; and what was as bad, I could put in no where to see the coast, but was obliged to run for Amherstburg. The same thing happened on Lake Huron, where the sea runs as high as in the Bay of Biscay; and, to complete the catastrophe, in running up the river Thames to Chatham away went the rudder and tiller, both as rotten as touchwood. So I abandoned 'the Toronto' to cut a fresh rudder out of the woods, and was right glad to get the rest of my tour by land.

"I had a carriage on board and plenty of saddle-horses; and as the roads are not impassable at this time of year, on horseback at least, I made it out admirably.

1840. "Amherstburg, Sandwich, River St. Clair, Lake Huron, Goderich, Chatham, London, Woodstock, Brantford, Simcoe, the Talbot Road and Settlement, Hamilton, Dundas, and so back to Toronto. You can follow me on a map. From Toronto across Lake Simcoe to Penetanguishine on Lake Huron again, and back to Toronto, which I left again last night for the Bay of Quinté. *All* parties uniting in addresses at every place, full of confidence in my government, and of a determination to forget their former disputes. Escorts of two and three hundred farmers on horseback at every place from township to township, with all the etceteras of guns, music, and flags. What is of more importance, my candidates every where taken for the ensuing elections; in short, such unanimity and confidence I never saw, and it augurs well for the future. Even the Toronto people, who have been spending the last six weeks in squabbling, were led, I suppose by the feeling shown in the rest of the province, into giving me a splendid reception, and took in good part a lecture I read them, telling them that they had better follow the good example of peace and renewed harmony which had been set them elsewhere, instead of making a piece of work about what they did not understand.

"The fact is, that the truth of my original notion of the people and of this country is now confirmed. The *mass* only wanted the vigorous interference of a well-intentioned Government, strong enough to control both the extreme parties, and to proclaim wholesome truths, and act for the benefit of the country at large in defiance of ultras on either side.

"But, apart from all this political effect, I am delighted to have seen this part of the country; I mean the great district, nearly as large as Ireland, placed between the three lakes—Erie, Ontario, and Huron. You can conceive nothing finer! The most magnificent soil in the world—four feet of vegetable mould—a climate certainly the best in North America—the greater part of it ad-

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mirably watered. In a word, there is land enough and capabilities enough for some millions of people, and for one of the finest provinces in the world; the most perfect contrast to that miserable strip of land along the St. Lawrence, called *Lower* Canada, which has given so much trouble.

"I shall fix the capital of the United Province in this one of course. Kingston will most probably be the place; but there is every thing to be done there yet, to provide accommodation for the meeting of the Assembly in the spring."

Lord Sydenham returned to Montreal in the close of the month of September, and immediately addressed himself to the preparation of those necessary ordinances which still remained to be passed in the Special Council before the Union could be safely brought into operation. Among these the most important were the ordinance for the establishment of municipal institutions, and that to provide for the registration of incumbrances on real property. The former it had been intended, in the first place, to provide for in the Union Act, and clauses for that purpose had been framed and sent home by Lord Sydenham; but when the bill containing them came to be discussed in Parliament, they were opposed by some members connected with Canada; and there being reason to fear that the great bulk of the Opposition might take the same view, on the ground that there was not sufficient local information in England to enable Parliament to legislate safely on such details, the Government, anxious to obtain the unanimous

1840.

assent of Parliament to the chief measure of the Union, agreed to leave out the clauses, and the subject was accordingly remitted to the provincial authorities.

The importance which Lord Sydenham attached to the establishment of this municipal system at the same time with the Union, and his extreme disappointment on learning the omission of the clauses in which it had been embodied, appear in every letter written by him about this period. An extract from one may suffice.

"No man in his senses," he writes, "would think for a moment of the Union without its being accompanied by some sort of Local Government, in which the people may control their own officers, and the executive at the same time obtain some influence in the country districts.

"Without a breakwater of this kind between the Central Government and the people, Government with an Assembly is impossible in Lower Canada, and most difficult in Upper Canada; and it is absurd to expect that any good system can or will be established by the Provincial Legislature, even if time admitted of its being proposed to them. No colonial legislature will divest itself of the great power it now possesses of parcelling out sums of money for every petty local job; and although by the Union Bill the initiative of money votes will be confined to the Government, this provision will become null, because the moment that the executive is called upon to provide for all these local expenses, with the details of which it cannot be acquainted, it must renounce the task, and leave it in the hands of the members themselves. A distinct principle must be laid down, that *all* purely local expenses be borne by the localities themselves, settled and

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voted by them, and that only great works be paid for out of the provincial funds.

"Nor is it only with reference to the Canadas that it was all-important for Parliament itself to have laid down the principle and details of Local Government. Since I have been in these Provinces, I have become more and more satisfied that the capital cause of the misgovernment of them is to be found in the absence of Local Government, and the consequent exercise by the Assembly of powers wholly inappropriate to its functions. Members are every where chosen only with reference to the extent of job for their particular district which they can carry. Whoever happens to lead a party in the House, of twelve or fourteen members, may at once obtain a majority for his political views by jobbing with other members for votes upon them, or by rejecting their jobs as the penalty of refusal oust them from their seats. This, indeed, is admitted by the best men of all parties, and especially of the popular side. But it is equally admitted that they cannot *of themselves* change the system. In both Nova Scotia and New Brunswick I was told that if Parliament laid down a system of Local Government for Canada, then it was likely that in these Provinces too the Assembly would adopt it; but, without that, it would be impossible to get it done. So, by this step, if Lord John has really been forced to take it, not only has all chance of the Union Bill working well been destroyed, but also the hope of a change of system throughout all the Provinces. Last year, if you remember, we made it a *sine quâ non* to the Union; indeed, our scheme was altogether based on it. The establishment of Municipal Government by Act of Parliament is as much a part of the intended scheme of Government for the Canadas as the union of the two Legislatures, and the more important of the two. All chance of good Government, in Lower Canada especially, depends on its immediate adoption."

1840.

It is only necessary to look at the map of Canada to understand Lord Sydenham's feelings on this subject. Extending on a line nearly 1500 miles, comprising within its limits a great variety of climates, and inhabited by persons of different origins, it is impossible that the wants and interests of each separate locality should be properly understood or decided on by an authority permanently fixed at any central spot. Yet, without the power of local taxation for local purposes, no work, whether important or inconsiderable, could be undertaken except by the assistance of the central authority. In respect to the main roads and bridges in Lower Canada, an imperfect authority was, it is true, vested in the Grand Voyers, and the ecclesiastical buildings in the Roman Catholic parishes were maintained by the contributions of the community; but these were the only substitutes for local powers, and it is evident how small a portion of the wants of the people they were sufficient to meet. Under the old system, all applications for pecuniary assistance had been addressed directly to the House of Assembly; and every Governor, no less than Lord Sydenham, has borne testimony to the fact, that the power of granting or refusing them had been made an instrument of political influence by the leaders in that body. But under the Union Act, which placed the initiative of money votes in the Crown, it would have been for the Government to exercise this power; and it is easy to perceive that an at-

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tribute which in the hands of the popular body had been a means of strength, would to the executive power be a cause of weakness. No man nor set of men, however upright or indefatigable, could bear up against the odium of having to decide upon the innumerable demands for assistance from every quarter of the province. No office which could have been established would have been competent to collate and determine the conflicting claims from every spot, from Cape Gaspé to Sandwich; nor, if it could have been done, would there have been a possibility of satisfying the rejected applicants of the justice of the decision.

Under such circumstances, it became indispensably necessary to relieve the Government from this invidious duty, and to provide for the growing wants of the province. Nor was it less an object to educate the people in habits of self-government, and thus to prepare them for the exercise of those more important legislative duties which under the Union Act would be devolved upon them. But feeling, as we have seen from his private correspondence, the great difficulty of persuading a popular assembly to divest itself of powers so extensive, and fearing that even if this could be accomplished it would be impossible to attach to the measure those securities which are indispensable to a monarchical form of government, he now determined, on the loss of the clauses in the Imperial Parliament, to introduce into the Special Council of Lower Canada a bill for the establishment of municipal authorities

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in that part of the province; trusting that when once established there, they might be taken as a model by the United Legislature for similar institutions in the other part of Canada. This expectation, as we shall afterwards see, was verified in the first session of the United Legislature; but in the mean time their omission in the Union Act had disturbed the entire plan of the Governor-General, and occasioned great delay, loss of time, trouble, and anxiety.*

The second ordinance, to which allusion has been made, that for the establishment of registry offices, had long been called for by the great body of the English inhabitants of Lower Canada. The

* In a private letter of this period Lord Sydenham describes the inconvenience thus occasioned.

"The rejection of the Local Government clauses has ruined me quite. For although I shall institute off my own anvil all that I want for this Province in that way, I shall have to get it for the other from the Legislature—a difficulty the more where there are already too many to contend with. But above all, the necessity of getting the laws passed here for this and other purposes causes a delay which is most mischievous. Could I have dissolved at this time, or a month ago—which I should have done had I had the power of making the arrangements after the Union by proclamation, as was proposed—I should have had plenty of time to organise the Government, and get things in order under the Union before the Parliament meet. Now, I have all these laws to make before the proclamation of the Union—am compelled, therefore, to delay that, and consequently the elections also, till January or February, and then shall have little or no time left for the organisation of the Government or the preparation of measures before I must meet the Parliament. My scheme was a perfect *whole;* but by pulling out one of the principal pegs, the whole machinery has been deranged, and my calculations all routed."

1840.

want of it, and the indeterminate character of mortgages (*hypothèques*) or claims having the effect of mortgages, had made it unsafe either to buy land or to lend money upon it, and had thus operated as a drawback to the advancement of the country. According to the French Canadian law, there is scarcely a pecuniary obligation which a man can incur, whether by his own act, by the sentence of a competent court, or by his social position, which does not form a *hypothèque* on his property. Nor was there any means of discovering these incumbrances; for while the law imposed on notaries an obligation of secrecy in respect to such as were executed before them, there were others called "tacit hypothèques," which could only be ascertained by an intimate acquaintance with the social connections and obligations of the proprietor. Many attempts had been made before the rebellion to remedy these inconveniences, and bills had repeatedly been introduced for that purpose into the legislature. But, although some progress had been made towards a better system, the most serious of the evils remained uncorrected. As this was a question altogether of a local nature, and to the solution of which the Upper Canadians could bring no assistance, it appeared peculiarly desirable that it should be settled before the Union was proclaimed.*

* The following extracts from some private letters written at this period, relating to this and other subjects then engaging Lord Sydenham's consideration, may be interesting to the reader; especially those passages which contain his opinions on the character and extent of emigration for which Canada offers an opening.

"Montreal, November 23. 1840.

"I have got my Special Council together, and am hard at work at the legislative oven. One great *coup* at least I have achieved. I have got a registry bill, the 'Asses Bridge' of the Province for the last twenty years, which meets with nearly universal assent from both French and English. It will be law in a few days, and will be really a miracle. A simple thing enough, you would think, unless where you have, as in England, all the attorneys to fight you on it; but, in truth, a most difficult job here, where we are cursed with all the old French law of before the Revolution, 'Hypothèques tacites et occultes,' Dowers' and Minors' rights, 'Actes par devant Notaires,' and all the horrible processes by which the unsuspecting are sure to be deluded, and the most wary are often taken in; yet still 'vested rights'—that terribly delicate thing to deal with, and about which one feels the more delicate in proportion to the power one possesses of dealing with them.

"The only things I cannot manage here, which I should like to deal with, are education and emigration. The first I can do nothing in; first for want of money, and next that I cannot get the priests to agree to any feasible scheme. They pretend to be in favour of something, but are in reality opposed to teaching the people at all, being weak enough to think that so long as they are ignorant they are under their control. The rebellion ought to have taught them better, for then the masses all left the priests for the agitators.

"For emigration I have done *here* nearly all that is possible, and little enough it is; yet I do not see how to do more. Wakefield's plan of bringing out labourers by the sale of lands is utterly impracticable in these colonies. Land is worth nothing except through the labour that is bestowed upon it; and that is barely remunerated, even putting out of the question the cost of transport. The whole land revenue, arising from *sales*, of the

1840.

The discussion on these and the other ordinances protracted the session of the Special Council till

1841. the month of February, 1841, and delayed the proclamation of the Union, which it had in the

two Canadas does not reach 20,000*l.* a year — which might bring out 2000 or 3000 people. This year we have 23,000 by voluntary emigration, and shall have probably double next year! To talk of an emigration fund from land, then, is ridiculous. The only thing to do is to encourage voluntary emigration by affording all the assistance in one's power to forwarding and placing the people when they arrive, and either *locating* them or getting work for them. This I have done. I have despatched above 7000 to the Upper Province at the expense of Government, who would not otherwise have been able to get on; and as many from Quebec to this place (Montreal) besides. For here again is one of the capital blunders made in England upon this subject. You treat *Quebec* as Canada — think that when you have thrown a shipload of poor starving emigrants under the rock there, you have placed them in a situation to provide for themselves. On the contrary, they have to go four or five hundred, many eleven or twelve hundred miles further, before they can do so. And this is expensive, dilatory, and difficult. But suppose them arrived at their destination, what is to become of them? Land they cannot purchase; and if it is given to them it is of no use, for they must starve for a twelvemonth till it yields a crop. Besides which, Irish and English labourers know no more of clearing and settling a forest than they do of the longitude. It would take them a day to cut down a tree, which a back-woodsman will do in three minutes. Well then, they may labour for wages. But few people can afford to pay for labour. Labour must be valuable according to the value of what it produces; and the farmer here can no more give a dollar a day, with his prices, than he could a guinea. This is *the fact*. It is true there is a great outcry for labourers, and more labourers; but when it comes to the point of hiring them, unless it be during the harvest, every farmer in Upper Canada will tell you that he cannot pay them. Even this year one half of my 22,000 emigrants must have been unemployed, or have gone to the States, but for the public works I was carrying on.

"This is a bad picture of the chance for emigration on a

first instance been intended to fix for the beginning of the year. But its labours at last drew to 1841.

large scale, of which you talk so loudly in England. But although I consider it impossible to frame any great plan such as people seem to look for, and which has been hinted at but never *explained* in Lord Durham's report, I by no means despair of good. I shall send Dr. Rolph to England again to agitate, and if possible promote the sending off people by themselves, their landlords, or their parishes; and in this way I have no doubt of getting at least twice as many next year as this. I shall devote all my means on this side of the water to settling them either with people who may be able to afford to pay for labour — of which there are some, though not many — or to *locating them in parts of the country where public works are being carried on, so as to combine settlement with wages.* This, by the by, I have already done to great advantage this year; but not by sticking the emigrant himself there, who knows nothing of clearing, or 'life in the bush;' but by making a place for *his* labour, by transplanting an old woodman further into the forest. Lastly, by undertaking as many public works as I can possibly get through — where the emigrants can be sure of employment — may save money — become accustomed to the country, climate, and hardships of *bush life*, and eventually provide for themselves as settlers. By directing all my resources to these objects, and combining them, I believe that much good may be produced in five or six years; thirty or forty thousand a-year being introduced, of whom probably two thirds may remain and make good workmen. But to attempt to do more, in this colony, is a mere delusion.

"And now to pay you for all this story I will recommend you, whilst on the subject of settlement, a little work by an American woman, which contains by far the best account of life in the bush I have read; equally applicable to Upper Canada as to Michigan — of course putting aside the sentiment and the poetry, which is thorough 'Broadway.' Get it, and it will amuse you. It is called 'Home in the West; or, Who'll Follow?'"

On the same subject he writes, at a later date —

1841. a close, and the necessary proclamation was issued, fixing the day of Union for the 10th of February.

"I have sent home a long Report on Emigration*, which some of you won't like because it tells the truth, and declares that to throw starving and diseased paupers under the rock at Quebec ought to be punishable as *murder*. Send me out good stout English peasants who know what *work* is; give them the means of getting up the country 600 or 700 miles where it is to be had; and I will take as many as you can get, and promise them *independence*. Or give me some yeomen with a few hundred pounds each, and let them take prudent *advice—buy cleared farms—not* throw themselves into the bush, where they are as helpless as they would be in the Great Desert; and I will secure them comfort and perfect independence at the end of a couple of years—but not *money*. *That* is a thing never to be mentioned. Pigs, pork, flour, potatoes, horses to ride, cows to milk; but you must eat all you produce, for devil a purchaser is to be found. However, the man's chief wants are supplied, and those of his family; he has no rent or taxes to pay, and he ought to be satisfied. But send me no Irish paupers; nor young gentlemen with 500*l.* or 600*l.*, who fancy that upon that they may be idle, and are hardly used because they cannot get 200*l.* or 300*l.* a-year income in return for it. The Province absolutely teems with persons of this character—lawyers, broken-down merchants, clerks, soldiers—who have come out here to farm; lost their money through their ignorance of the business; or have been unable to brook plenty without the enjoyments of civilised life—the lot of those who succeed best; and all these are applicants for places, of which there is one perhaps to one hundred candidates. So you see competition is nearly as rife here as in the mother country."

And again, at another date, he writes—

"I told you in my last that Wakefield's doctrine won't do in

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* This Report was laid before Parliament by Lord J. Russell, and is reprinted in the Appendix for the information of those who take an interest in Emigration.

1841. It is not difficult to understand the reasons which pointed out this day as peculiarly appropriate.

Canada. To *force* concentration here is the greatest of absurdities. There is no fear of people spreading too much. No man will go far into the woods if he can help it. The evil of these Provinces—or rather of the Upper, which is the only field to be thought of for colonization—has been the improvident grants of land to individuals, who have become possessed of immense tracts, three fourths of the country, which they hold without doing any thing to them, and preventing any settlement, even in their neighbourhood, by their refusal to make roads and communications. So far from a high price being essential, as Wakefield has it, I would willingly *give* land to settlers who came *bonâ fide* to establish themselves, and would engage to make roads, &c. But there is, alas! none to give, except what is rendered valueless by the neighbourhood of these cursed land-jobbers, who cut off all access to it. Talk of a high price indeed! I could buy any number of thousand acres of these people at 2*s.* per acre. The worst evil of all is the grant to companies—such as the Canada Company, and the British North American Company—unaccompanied by conditions that *settlement* should be carried on by them. They have become land-jobbers also; spent their capital in buying more land, instead of improving and *settling* what was granted to them; and have added to the other nuisance. The first step, therefore, is to compel the holders of lands to bring them into the market to be purchased by *bonâ fide* settlers—*or* to improve them themselves. I would willingly have suggested a tax to be laid on at home, as Lord Durham does in his report; but I do not think the colonists would like legislation of this kind. So I have adopted a course which I know will prove equally efficacious; namely, to give the inhabitants in their district councils the power of levying a rate for roads, bridges, &c. The moment they get the power they will use it; and then good-bye to the jobbers: for the *inhabitants* feel the cause of their suffering; and by making the tax equally heavy on uncultivated as on cultivated land, they will very shortly bring these gentlemen to

1841. The anniversary of the marriage of our Sovereign, it was also the anniversary of the conclusion of the treaty which in 1763 ceded Canada to the British Crown; and of the assent to the Act of the Imperial Parliament which in 1838 had deprived Lower Canada of its former Constitution. The public voice had already designated it as the day best adapted for the solemnity before the Official Proclamation made its appearance.

On that day accordingly the Commission of Lord Sydenham, as Governor in Chief of the United Province, was opened in Montreal in the presence of the Commander of the Forces, the Judges of the Court of Queen's Bench, the Heads of the Civil and Military Departments, and a considerable body of the inhabitants. At the same time Lord Sydenham issued a proclamation explaining and vindicating the objects of the Union Act, and urging on the inhabitants of the now United Province a sincere co-operation with the mother country in the measures necessary for their advancement and happiness. This proclamation concluded in the following terms:—

"Inhabitants of the Province of Canada! Henceforward may you be united in sentiment as you are from this day in name. Who can visit, as it has been my good fortune to do, the extensive regions which are now united

book. Employment will in the mean time be found for thousands of emigrants upon the roads and communications thus to be made, and allotments of land given them, or purchased by them where they find work."

1841. in one common denomination, and fail to acknowledge the vast resources they present for all that can conduce to the comforts and happiness of man? A part of the mighty empire of England — protected by her arms — assisted by her treasury — admitted to all the benefits of trade as her citizens — your freedom guaranteed by her laws, and your rights supported by the sympathy of your fellow-subjects there — Canada enjoys a position unsurpassed by any country in the world.

"It is for you its inhabitants to cultivate these advantages — to avail yourselves of the new era which now opens upon you. Our gracious Sovereign, and the people of England, watch with anxiety the result of the great change which has to-day received its completion. It is the first wish of the Queen to rule in the hearts of her subjects, and to feel that they are contented and prosperous under her mild and just sway: her Parliament and Government, in conferring on you new institutions, have sought only your happiness and advantage. In your hands now rests your own fate; and by the use which you will make of the opportunity must it be decided. May the all-wise Disposer of events so ordain your acts that they may tend to the promotion of peace and happiness amongst you, and may He pour his blessing upon that Union of which it is my pleasing duty this day to announce to you the completion!"

Immediately after the proclamation of the Union, writs were issued for the election of members to serve in the first House of Assembly; and now began, in Lower Canada at least, a struggle more violent and acrimonious than had perhaps marked any previous election in that province. It is almost unnecessary to say that the great mass of French Canadians were averse to the Union as carried out in the act of the Imperial Parliament.

1841. They looked upon it as a measure intended gradually to obliterate those remains of nationality, "their language, their laws, and their institutions," to which they clung with the tenacity of despair. They entertained some fears, not very clearly defined, that it would involve danger to their religious rights, and to the possessions of their church; and they regarded it as the triumph of their old opponents the "British Party," and the establishment of a "British Ascendency" interest within their own country. Nor can we be surprised at these fears. Unacquainted with the inhabitants of Upper Canada, they could not but look upon them as the natural allies of their fellow-countrymen in the Lower Province; and with no information as to their sentiments beyond the public journals, they could not forget the language which had been used towards themselves in the Legislature of Upper Canada by the once dominant party of that province—the resolutions on the Union which less than twelve months before Lord Sydenham's arrival that party had carried, and which in his time they had attempted to renew—nor the manner in which the Corporation of Toronto, claiming to be "the highest municipal body in the province," had insisted on the "ascendency of the loyal portion of the inhabitants," and the subjection of the French population as "aliens to our nation and our institutions," as the terms on which alone they could acquiesce in the Union. Nor, more than all, could they forget the sufferings which their fellow-countrymen had undergone at the hands of the Volunteers from that part of the province during the rebellion.

1841.

These natural fears on the part of the mass of the people had been cherished and fomented by their leaders; many of them, no doubt, sympathizing to a great extent in the alarms of their less instructed fellow-countrymen, and all of them feeling, certainly, that with the extension of the theatre on which they were hereafter to act their own importance, and with it their power, would be curtailed. To give effect to this hostility, a committee had, as far back as the month of October, 1840, been established by Mr. Neilson at Quebec, for the purpose of procuring the return of members who disapproved of the Union. In the address to the electors of Lower Canada put forth by this committee, it was strongly urged that "no consideration whatever should induce us to vote for any candidate who does not disapprove of that Act, and its iniquitous provisions; for, in voting for such a candidate, we should give our consent to the Act, and approve of those who have advised it; we should proclaim our own dishonour, and dishonour our country, in stretching forth the neck to the yoke which is attempted to be placed on us, till it be repealed or amended, so that the injustice which it authorizes shall cease. But it will not be sufficient not to vote for any approver of the Act to reunite the two provinces: every elector who will suffer such a candidate to be chosen by staying away from the

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place of election, or not voting against him, will be equally guilty." The address concluded by giving detailed directions as to the manner in which the elections might be most effectually perverted to a means of defeating the Constitution under which they took place.

This document was published very extensively throughout Lower Canada,—it was posted up in the most conspicuous places, and was read and explained to the people in the French parishes when they assembled, as is their practice, round the church doors after mass. They were at the same times addressed by itinerant orators, who stimulated their fears, and held out to them the hope that by a strong demonstration on their parts, the Imperial Parliament might be compelled to repeal the Union. The effect of these proceedings was soon evident. The French Canadians became united together throughout the Province in a firm and avowed determination to return only such members as should render the working of the Union Act impossible.

While such was their policy, the opposite party were not less active. As the opponents of the Union comprised almost every French Canadian, so among its supporters might be reckoned, with few exceptions, the whole of the British inhabitants of Lower Canada. Nor was the distinction of race, which for so many years had envenomed every contest in Lower Canada, as unmeaning in this instance as in others. The favour which the

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measure found in the eyes of the British party was fully as natural as the dislike of the French Canadians. Averse, from habit and associations, to an arbitrary form of government, the British party had borne with impatience the deprivation of those free institutions to which they had been accustomed. Nor, so long as they were deprived of all influence over the Executive, did they feel secure against a return on the part of the Government to that conciliatory policy of which they had so loudly complained before the rebellion. Still any measure for the re-establishment of Representative Institutions in Lower Canada alone, however guarded or restrained, must have had the effect of replacing them under the power of those whom they had for years been accustomed to consider their enemies, and against whose open rebellion they had recently been in arms to assist the Queen's troops. It would have been a subjection of the victor to the vanquished,—of the loyal to those who had fallen from their allegiance, to which they never would have submitted, and which had it been proposed would have provoked a resentment and resistance far more formidable than that of the French Canadians. The Union alone promised an escape from these difficulties. It ensured to them the restoration of their suspended privileges,—it put an end to all fear as to the future policy of the Government,—and it brought with it the means of obtaining such arrangements as were required for the advancement of the commercial prosperity of the country. Better acquainted than their

1841. fellow-colonists with the temper of the Upper Canadians, they knew that in the mass of that people they should find as enterprising a spirit, and as eager a desire for the development of the natural resources of the country, as actuated themselves. They were therefore determined to meet the preparations of the French Canadians with equal exertions, — to contest every place where they had a chance of returning a member, — and to vote for those only who were prepared to give the Union a fair trial, and to support, as a general rule, Lord Sydenham's Administration.

Nor can it be doubted that other and less excusable motives mingled with these reasonings. The French Canadians, the mortification of their defeat and the triumph of their opponents still rankling in their memories, looked to the elections as an opportunity for retorting on the British a portion of their own recent humiliation. The British, on the other hand, at all times inclined to regard with something of contempt their less energetic fellow-colonists, and deriving a still stronger impression of their own superiority from the events of the last few years, saw the fruits of their victory in danger of being wrested from their hands by the mere numbers of their opponents. Thus, a feeling of revenge on the one hand, and of contempt on the other, contributed to exasperate the sentiments with which, on other grounds, each party regarded the Union.

These feelings were of course reflected in the daily

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press, which for many weeks before the elections was filled with little else than this all-absorbing topic. But when men have been long in the habit of regarding each other as natural enemies, and have had their passions continually excited by inflammatory language, it can be matter of no surprise that their feelings should at last force a vent, — that violent deeds should succeed to violent words, — and that each should endeavour to compass the defeat of his opponent by the readiest and most effectual means. Anticipating the possibility of such occurrences, Lord Sydenham, in issuing writs for the election of the Assembly, accompanied them by a proclamation, calling on the magistrates and other officers of the Government, and all individuals of every rank, to exert themselves for the preservation of the peace.

The elections commenced on the 8th of March: the watchwords of either party may be anticipated. While the French shouted for equality of representation, and the maintenance of their privileges, the English assumed to be supporters of the British connection, of the Union, and of the policy of the Government. Thus the Government became inevitably, and without any action of its own, mixed up with the contest, and was, as usual, held responsible by its opponents for whatever extravagance or violence its supporters might commit. In the district of Quebec but little opposition was attempted to the French candidates; but in Montreal, where politics had always been more violent, many

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British candidates were in the field. The first victory gained by them was at Beauharnois, where Mr. Dunscombe, a British merchant, defeated Mr. Dewitt, a gentleman of American origin, who had formerly voted with Mr. Papineau. This success gave intense satisfaction to the British party, and encouraged them to redouble their exertions in the remaining counties. The result was, that members who advocated the Union were eventually returned for the French counties of Montreal, Rouville, Terrebonne, Vaudreuil, and Chambly.

There is no doubt that at these elections a good deal of violence occurred, and that without it the result might in some instances have been different. Each party threw on its opponents the responsibility of having been the assailants; and in the midst of the conflicting assertions maintained by each it was impossible then, and would be still more impossible now, to decide with confidence on this point. It is probable, however, that the blame might not unfairly be divided. Thus at the election for Montreal county, the French Canadians on the first day took possession of the poll, and in the struggle of the British party to record their votes, two Irish electors were struck down, one of whom died on the spot. His body having been brought into the city, the most violent excitement was naturally produced among his fellow-countrymen, and on the following day the English and Irish voters having flocked in great numbers to the poll, the French Canadians, apprehensive of

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the consequences, abandoned the struggle, and their member retired without further contest. Here at least the first violence appears to have been on the part of the French Canadians, although the triumph was eventually with the British party. Again at Terrebonne M. Lafontaine, who admitted that the great bulk of his followers had come from their homes armed with cudgels, and that those who had not had halted on their way at a wood to provide themselves, withdrew without polling a vote, because he found that his opponents, though, according to his own showing, not more numerous than his followers, had seized what appeared to him the more advantageous position for a fight. In this instance no collision took place at the hustings; but as the French Canadians showed themselves at least as much prepared for a conflict as the English, there is no ground for imputing to the latter any greater disposition to break the peace than to the former. The consequence, however, having been the return of the English candidate, he and his friends were of course denounced as having brought about this result by violence and intimidation. It is, indeed, probable that at both these elections, and especially at Terrebonne, where, as was afterwards shown, some of the French Canadians had armed themselves with bayonets and knives, a fierce contest, not without bloodshed, must have ensued had both parties stood their ground. Fortunately for all parties the French Canadian candidates declined

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to do so. They contented themselves with protesting against the proceedings of the returning officers, and with charging upon the Government, or rather upon Lord Sydenham personally, the whole blame of these transactions. No story was too absurd or extravagant to be denied currency at such a moment. Lord Sydenham was accused of having hired bodies of rioters to proceed from county to county to interrupt the elections, and of having contributed large sums of money from the public treasury to the expenses of the English candidates.* The impossibility of such accusations did not interfere with their credibility. The defeated party were determined to recognise nothing short of some extraordinary agency in their defeat, and easily persuaded their followers into the same belief; yet, in truth, nothing occurred that might not be explained on the most reasonable grounds. To any one who had watched the state of affairs in Lower Canada during the preceding five or

* In a recent London paper a story was published, under the signature of an "English Traveller," to the effect that Lord Sydenham had taken 20,000*l.* from the Jesuits' estates for election purposes. This is a fair sample of the trash that passes current in steam-boats and bar-rooms, and which is picked up and retailed with an air of authority by credulous "English travellers." The story is about as rational as would be an assertion that the Prime Minister of this country had drawn an equal sum for similar purposes from the Education Fund, or the Crown Land Revenues. Even had Lord Sydenham been disposed so grossly to abuse his trust, which it is absurd to believe, every body in Canada knows that it would have been purely impossible for him to do so.

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six years, and who had especially adverted to the exciting and violent language used on both sides immediately before the elections, it was necessary to look no further for a sufficient cause. Each party, regarding the Union with the feelings which have been described, felt that on the result of this election depended the success or failure of that measure, and each party was resolved to carry his own point by every means in his power. The matter at issue was no transitory question of party politics,—it was the Constitution of 1791 or 1841,—the maintenance of the Union, and with it British connection, or a return to the old Constitution, and with it a speedy separation from the mother country. And when it is recollected that only two years before the same parties, animated by the same feelings, had been arrayed against each other in civil warfare on the same spots, it is rather a matter of surprise that no more deadly and sanguinary struggles should have characterised these elections, than that the disturbances which did occur should have taken place.

But it has been said that the Government might have anticipated the occurrence of riots, and have prepared against them. It has been already shown that Lord Sydenham did take every precaution legally in his power, by issuing a proclamation calling on the magistrates and others to preserve the peace. Further than that he could not go. In the case of Montreal alone would it have been possible, even if it had been considered legal, to have interfered after the election had commenced. In that

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case, the returning officer applied on the evening of the first day, after the riot in which a British voter had been killed and his countrymen driven from the polling place, for a body of troops to be stationed on the following day at the hustings. His application was not supported by the magistrates, nor did it appear that any effort had been made by the civil power to put down the previous disturbance. Under these circumstances Lord Sydenham, after consulting with his law officers and such of his executive council as could be got together, came to the decision, it is to be presumed on their advice, that, in the absence of any proof that the civil powers were insufficient to the occasion, and without a formal demand from the magistrates, he could not legally station military at the polling place, in anticipation of the possibility of a riot. This decision was not adopted until after many hours' anxious deliberation, protracted till a late hour at night. In the case of the Terrebonne election no opportunity was given for interference. No one foresaw, or could have foreseen, what then took place; and unless the Government had two days before the election despatched troops from Montreal to be stationed in the vicinity, it would have been impossible to have interfered with any effect. The same was the case in the other elections. But it is scarcely necessary to point out the position in which the Government would have placed itself, or the reproaches to which it would have been subjected, had it on the plea of the possibility of disturbance

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surrounded the various polling places with bodies of troops. There can be no question that so unconstitutional a proceeding would have excited the indignation of the whole country, and would have vitiated every election where it occurred. Yet if any blame be attributed to Lord Sydenham in the matter, it must be for not taking such a step as this; since for the neglect of the civil authorities, if neglect there were, he cannot be considered responsible. He had done every thing in his power by reminding them of their duties, and calling upon them to perform them; the rest depended on themselves.

But there is another point connected with the elections which has been vehemently attacked by the opponents of Lord Sydenham, and on which some explanation is necessary; viz. the electoral limits assigned by him to the cities of Quebec and Montreal. By the Union Bill, as originally introduced into Parliament, only one member was given to each of these cities; but Sir R. Peel having suggested that with a view to ensure a greater representation to the commercial interest certain commercial bodies should be created, in whom the right of representation should exist, Lord John Russell, in order to meet this suggestion, gave two members instead of one to Montreal and Quebec. When the Union was proclaimed it was quite evident that if the electoral limits of those cities were made the same as their municipal limits, the increase of their members would not only not attain the object

1841. contemplated by Parliament, but would place the commercial interests in a worse position than before; because the numerical superiority of the suburbs would enable them to return both members, and thus to increase the French representatives in the House. Convinced that such would be the result, Lord Sydenham determined in discharging the duty imposed on him by the 21st clause of the Union Act, so to define the limits of the town as to carry out the intentions of both parties in the House of Commons, by throwing the suburbs into the counties. He was well aware that in so doing he exposed himself to attack, and that he would be accused of having disfranchised a body of voters for purposes of personal ambition; but he was not to be deterred by the fear of such misrepresentations from doing what he conceived to be his duty with reference to the expressed intentions of the Imperial Legislature, and to the essential interests of the province. Had he shrunk from this responsibility, the commercial interests of the country would, in a house of eighty-four members, have had no representative: the effect of the course which he pursued was to secure the return of four English members,—three of them connected with the trade of the country; the fourth the Judge of the Vice-Admiralty Court at Quebec, a gentleman whose private and professional character stand equally high.

At the end of May Lord Sydenham left Montreal for Kingston, at which place the Legislature had been summoned to meet on the 13th June. The

1841. unusual length of the winter, and the period of the assizes in Upper Canada, had made it necessary to put off the meeting till that time; but had it even been otherwise, the state of Lord Sydenham's health would have prevented an earlier session. It has been already mentioned that from his first arrival in Canada he had been subject to attacks of gout; which, however, severe as they were, had never hitherto interfered with the discharge of his duties. But in the month of April of this year he had been seized with an attack far more violent and alarming than any he had before had, the gout having flown to his stomach and placed his life in imminent danger. From this attack he continued slowly but gradually to recover until the middle of the month of May, when the disease reappeared in his right arm and hand, and confined him to his bed for several days. Under such circumstances it would have been impossible for him to leave Montreal before the end of that month.

The elections had all been concluded early in the month of April; when the numbers, as far as a judgment could be then formed, were as follow:—

Government Members - - -	24
French Members - - - -	20
Moderate Reformers - - -	20
Ultra Reformers - - - -	5
Compact Party - - - -	7
Doubtful - - - - -	6
Special Return - - - -	1
Double Return - - - -	1
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1841. Of these parties the two first could alone be expected to act as firm and consistent bodies; the one in support, the other in opposition to the measures which might be brought forward by the Governor-General. The moderate reformers would generally be found in support of the Government, the ultras almost always in support of the Opposition. The line which would be taken by the compact party could scarcely be predicted; but it seemed very improbable, looking to the principles generally professed by them, and to their former language respecting the French of the Lower and the ultra reformers of their own Province, that they could be found acting with either. Adverting, therefore, to the large proportion of the moderate party, and to the wide differences by which the other parties, with the exception of the French and ultra reformers, were separated from each other, there was every reason to suppose that during the approaching session the Government would find no difficulty in carrying its measures in the House of Assembly. Still there were circumstances which made it difficult to calculate with certainty on this result; and among these was the composition of the moderate party, and the course which several of its members had pursued in previous Parliaments of Upper Canada. Hitherto they had been constantly in opposition; and having a single and distinct object always before them—viz. to popularise the administration of the Government, and to remove the influence which had, in their

1841. opinion, interfered with the right working of the constitution — they had had no difficulty in preserving their cohesion. But it seemed questionable whether, as supporters of the Government, they would have consistency and resolution enough to hold together for any length of time; and whether they would be able to resist the taunts and reproaches of the more violent men, with whom they had been at one time united in the pursuit of a common object; and, more than all, it remained to be shown whether they would be proof against the mania which from time to time appears to possess almost every politician on the American continent — of opposing the Government for the simple purpose of showing his independence of executive influence. The necessity of giving up minor points for the sake of unanimity, and of avoiding a hostile vote for fear of damaging a government whose general policy is approved, is a lesson seldom understood by juvenile politicians, and had certainly never been taught in Canada. It remained to be seen whether the moderate reformers in the Assembly would in this respect be apt scholars or not.

The near approach of the session brought with it many rumours of intended attacks on the Government, the assailants being understood to be the ultra reform party of Upper Canada, supported by the French. The motives of each were different; the former aiming at a greater extension of popular influence, the latter desiring only to embarrass the working of the Union. Many were the projects

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started; but their very variety, and the impracticable nature of most of them, showed the want of any fixed plan or decided leader. This want was at last supplied from a quarter whence the Government had the least right to look for opposition; but in order to a full understanding of what followed, it will be necessary to go back a little in the order of events.

It will be remembered that before leaving Toronto at the close of the session of 1839–40, Lord Sydenham had appointed Mr. Baldwin Solicitor-General of that Province, but without a seat in the Executive Council. On the Union, Lord Sydenham having decided, with a view of carrying out the new principles of Administration, to constitute the principal officers of the Government the Executive Council, informed Mr. Baldwin, in the month of February, 1841, that he had recommended him to the Queen for that appointment, and apprised him at the same time of the names of his colleagues. Mr. Baldwin accepted the appointment, on the ground, as he stated, of his confidence in Lord Sydenham personally; but took the opportunity of writing to four of his colleagues to protest against being supposed to feel any political confidence in them. He then went to his election as an officer of the Government and member of the Executive Council; and in the month of April, having come to Montreal, was sworn into office in the presence of some of those very colleagues whom he had denounced. Nothing further occurred till within two or three

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days of the session, when Mr. Baldwin, still retaining his office and seat at the council board, entered into communication with such of the French members of Lower Canada and ultra liberal members of the upper part of the Province as had reached Kingston, relative to the course which they intended to pursue in the coming session. The result of these communications was a proposal from him to Lord Sydenham, within forty-eight hours of the opening of Parliament, to change certain officers of his Government, and to substitute for them several French Canadian members. This proposal Lord Sydenham at once rejected: 1st, On the ground of the time and manner in which it had been brought forward; and, 2nd, On account of the unqualified opposition of the French Canadian members to the principle of the Union Act. Further correspondence passed; and eventually on the day of the opening of the session Mr. Baldwin, though still professing his confidence in Lord Sydenham, resigned his office. He had previously assisted at several meetings of the reform party, at which it had been proposed to bring forward a vote of want of confidence in the Administration.

Mr. Baldwin is a man most honourable and conscientious in his private capacity, and the readiness with which, on this and a former occasion he gave up office, makes it impossible to attribute to him any interested motive; yet it seems equally impossible to reconcile with the principles of political honour by which British statesmen are go-

1841. verned the conduct which in this instance he pursued. It cannot be denied that his entering into communication with those who were avowedly hostile to the Government of which he was a member, not for the purpose of bringing them over to support the Government but, as it was appear, of concerting with them the means by which their hostility could be made most effective, and the Government coerced into a compliance with their demands, was fair neither to the Governor-General nor to his colleagues. Nor had he even the excuse, such as it might have been, that the Opposition were irresistible, and that he was therefore, in reality, serving the Government and the country, by compelling the adoption of such measures as would anticipate collision. The event showed that so far from being irresistible, the actual Opposition was not even formidable, and that it could have been made so only by a general adoption of Mr. Baldwin's views. Nor is it easy to explain why, if Mr. Baldwin had been content to acquiesce, with only the protest which has been mentioned, in the formation of the Government during four months, he should have become so strongly impressed with its defects at the very moment when his secession from it would be most injurious. There can be no doubt that an attack of this nature, from such a quarter and at such a moment, was calculated very seriously to embarrass Lord Sydenham; but he was saved by his own firmness and courage, and by the honest straightforward generosity with which the moderate reformers came out in his support. There were many among that party who did not like the composition of the Executive Council, and who would have desired to see the introduction into it of some French Canadian members; but confiding entirely in Lord Sydenham's own intentions, and in his desire to administer the government with justice to all parties, they refused to entertain any questions which could throw obstacles in his way, or put to hazard the success of his policy. They gave him credit for sincerity in his professions, and admitted the impossibility, so long as the French Canadians persisted in uncompromising hostility to the Union, of confiding to them a share in the working of that measure. Accordingly, when Mr. Baldwin separated himself from the Government, he did so to reunite himself not to the large body of moderate reformers who represented the majority of the people of Upper Canada, but to the four or five ultra members whose politics bordered very nearly on democracy. This transaction, looking to the character of the gentleman who was the principal actor in it, and to the manner in which he conducted his negotiation with the representative of the Crown, illustrates more clearly perhaps than any thing else the ignorance at that time prevailing, even among the leaders of political parties in Canada, as to the principles on which a system of responsible government can alone be carried on.

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The House met on the 14th June *, and elected as its Speaker, unanimously, Mr. Austin Cuvillier, M. P. P. for the county of Huntingdon, — a gentleman of French origin, who had sat for many years in the Assembly of Lower Canada, but had lost his seat before the rebellion, in consequence of his having refused to follow Mr. Papineau in the extreme course which he adopted. On the following day the speech from the throne was delivered.

The peculiar posture of affairs, and the well-known sentiments of the Governor-General, made men look with unusual interest for the appearance of this speech; nor were their expectations disappointed. It commenced by adverting to the imprisonment of MacLeod, and proclaiming, with reference to the proceedings in the United States against that individual, "her Majesty's fixed

*EXTRACT OF LETTER TO LORD JOHN RUSSELL.

"Government House, Kingston, June 12. 1841.

"I think we shall do very well here. I have really a very fair house for the Assembly and Council to meet in; and the accommodation would be thought splendid by our members of the English House of Commons. But the fellows in these colonies have been spoilt by all sorts of luxuries, — large arm-chairs, desks with stationery before each man, and Heaven knows what — so I suppose they will complain. The house I lodge in is really a very nice one — or rather will be when finished; which will just fit the arrival of my successor: and the public offices are far better than either at Montreal or Toronto. But the confusion of the *move* is tremendous, and the practical consummation of the Union is, I assure you, far from a honey-moon."

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determination to protect with the whole weight of her power" all her Canadian subjects.* It then,

* To the embarrassing and delicate questions arising out of the proceedings against MacLeod, much of Lord Sydenham's attention had necessarily been directed. Writing to Lord J. Russell on the 28th January, 1841, he says, —

"I had heard nothing of the affair till Fox wrote to me, but I have since been in correspondence with Sir G. Arthur about it, and we are, in the main, quite agreed. It is a very awkward business. If MacLeod could be hanged without its committing us, I must say that it would not much signify, for he richly deserves it for his folly, not to say wickedness. I believe there is no doubt that he was not at the burning of the Caroline, but he has been boasting every where that he was, and doing what he could to get himself taken up. However, that cannot be, and if the Yankees really hanged him, which a Lockport judge and jury are pretty sure to do, it would be a case of war. It is most important, therefore, to get time for the settlement of the affair between the two Governments without its being complicated by MacLeod's conviction, and therefore he will be bailed under indemnity to his sureties from the Government, and an application will further be made (but on his behalf only, and without the Government appearing) to postpone the trial. If this last be done, there will probably be time to have this matter settled. If it be not, then I think MacLeod's bail must be forfeited, rather than allow him to go to trial. I wait the further report from Lockport in order to settle this point. Some understanding must, however, be come to without delay with the Americans on the "Caroline" affair, as well as on the extraordinary principle laid down by Mr. Van Buren, that individuals are to be held personally responsible for their acts when performed under the orders and authority of their Government, or we shall have a hundred cases like Mr. MacLeod's in the next twelvemonth.

"The only good that has resulted from this case is that stronger evidence even than was possessed before as to the employment of the Caroline has come out in the examinations, and therefore our ground in that is better than it was. Very

1841. after briefly alluding to the alterations in the postage arrangements with Great Britain adopted at

likely after March, we shall not find as much difficulty in coming to an understanding with the new Presidential government. At present the expiring Administration has only one object in view, namely, to leave as much embarrassment as possible to their successors, which they will pursue without any regard to consequences. Whatever happens, however, I shall take no steps with the state of New York, as I am satisfied that we ought to confine ourselves wholly to the General Government and make them responsible."

At a later date, when the mob at Lockport had interfered forcibly to prevent MacLeod being released on bail, Lord Sydenham wrote thus to Mr. Fox:—

"With respect to the case itself, you will, I hope, hear from Lord Palmerston by the steamer of the 10th of this month. I confess it seems to me almost impossible for the British Government to avoid *demanding* MacLeod's release, let the consequences be what they may. If ******'s statement be correct, as I have no reason to doubt, there may be a difficulty in the Federal Government yielding without fresh powers for the purpose; but it is quite clear that if such are really necessary in order to put an end to the conflicting jurisdictions of the Central and States Governments, they must be given, or else there is an end to all diplomatic relations with the United States. A hundred such cases as MacLeod's may occur, and so long as the Federal Executive has no power to deal with them, or may have its decision over-ruled by another tribunal, it is mere mockery to appeal to it, or carry on the farce of a negociation as between the two national governments. It is to be hoped that the last outrage at Lockport which so clearly establishes the fact, that the courts of law have not the power, even if they had the will, to do justice in cases of this description, may satisfy the Americans themselves of the necessity of some change in their laws or practice. If it does not indeed, I confess that my hopes of keeping the peace will be small. It appears, likewise, that the Whigs are less inclined to push matters to an extremity than the expiring administration. There may

Lord Sydenham's suggestion, proceeded to advert 1841.
in general terms to the development of the resources

be a chance, therefore, of getting over the business, but in the mean time it is satisfactory to feel that even in Canada we are much better prepared for a brush if it comes to one, than they are on the other side.

"The outrage at Lockport is altogether so disgraceful to the Americans; it exhibits in so strong a light, not merely the absurdity of their system upon this particular subject, but the abominable condition of their institutions. The outrage and injustice perpetrated on one of the Queen's subjects by their "People," in defiance of their laws and under their supposed *protection* are so gross, that I think a statement of the case and a demand for redress made *ad hoc*, and passing by the first points which are already referred home, would embarrass them excessively. They could scarcely again refer us to the Courts, for it is clear they have no power to enforce their own decrees, and unless they did that, I do not see what remains for them but to yield."

On the 25th July, 1841, he again adverted to the subject in the following terms:—

"My neighbour Jonathan is getting too bad. MacLeod's business is a disgrace to any civilized country, but a pretty specimen of this land of liberty, where the pride of the people seems to be that they are entitled to *break*, as well as make, laws for themselves."

And on 4th August following he writes:—

"MacLeod will now take his trial, and his conviction or acquittal will depend altogether on the political opinions of the judge and jury! If they are Whigs he will be acquitted; if Loco-foco he will be found guilty. The merits of the case, or the acknowledged fact that he was no more at the burning of the Caroline than I was, will weigh not a feather in the scale, either way. Read Judge Cowan's Judgment on the Point of Law! And the same thing exactly would happen if the case were carried either before the Senate of New York, or the Supreme Court of the United States.

"What a people,—what a country!"

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of the country by well-considered and extensive public works; and announced that to re-establish the credit of the United Province, to enable it to reduce the interest on its public debt, and so to raise the necessary funds for completing the works that had been begun, the Home Government had consented, on Lord Sydenham's recommendation, to pledge the credit of the mother country to a loan of no less than 1,500,000*l.* In regard to emigration, the speech stated that assistance would be afforded by the Home Government to convey destitute emigrants from the port of debarkation to the place where their labour might be made available. It pointed out the necessity of establishing throughout the province a system of self-government similar to what had been already established in Lower Canada by ordinance, and stated that a measure for that purpose would be introduced; and it urged upon the attention of the Legislature the most important of all subjects—the establishment of a comprehensive and efficient system of education, which in the party contests of recent years had been neglected. In the concluding paragraphs Lord Sydenham, as he never failed to do when opportunity offered, renewed his earnest exhortations to peace, good will, and contentment.

"Canada," (he observed,) "united under a constitution which the Imperial Legislature has framed with an earnest desire for the welfare of this portion of the British Empire, cannot fail to prosper under prudent and sage counsels. The generous aid which I have already announced to you,—

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the intention which I am also empowered to state on the part of the Government to devote annually a large sum for the military defences of the province,—the fixed and settled determination which I have the Queen's commands to declare, that her North American possessions shall be maintained at all hazards as part of her empire, are pledges of the sincerity with which the mother country desires to promote the prosperity of Canada, and to assist in the well working of the new institutions which it has established. The eyes of England are anxiously fixed on the result of this great experiment. Should it succeed, the aid of Parliament in your undertakings, the confidence of British capitalists in the credit you may require from them, the security which the British people will feel in seeking your shores and establishing themselves on your fertile soil, may carry improvement to an unexampled height. The rapid advance of trade and immigration within the last eighteen months affords ample evidence of the effects of tranquillity in restoring confidence and promoting prosperity. May no dissensions mar the flattering prospect which is open before us! May your efforts be steadily directed to the great practical improvements of which the province stands so much in need; and under the blessing of that Providence which has hitherto preserved this portion of the British dominions, may your councils be so guided as to insure to the Queen attached and loyal subjects, and to United Canada a prosperous and contented people!"

It might have been expected that a speech couched in such terms, and announcing such intentions, would have disarmed opposition; but this was not the case. The attack was commenced by Mr. Neilson of Quebec, who on the address in answer to it moved an amendment directly condemnatory of the Union, to the effect that "there

1841. are features in the act now constituting the government of Canada which are inconsistent with justice and the common rights of British subjects." On a division, the majority against this amendment was two to one, the numbers being fifty to twenty-five. Of the minority eighteen were French Canadians, or represented French Canadian constituencies; six were of the extreme Upper Canada party, including Mr. Baldwin; the remaining one was the member for Gaspé. Another amendment moved by the same party met with a still more signal defeat, being rejected by a majority of fifty-four to twenty-one.* Throughout these debates Mr. Baldwin acted

* The discussion of those parts of the Union Act which were beyond the competency of the local legislature Lord Sydenham had always discouraged. Writing to a member of his special council in October, 1840, he said, "My desire always was that, so long as the question of the Union was to be discussed on this side of the Atlantic, there should be the most full and free expression of opinion upon its policy and merits, and I carried this desire so far as to invite even those in the Upper Province who were the immediate servants of the Crown, to give their unrestrained and unbiassed votes and opinions upon the measure whilst it was before them. But the Union being now the law of the land, and not a measure revocable by the legislature of these Provinces, but by the Imperial Parliament alone, the position of this question is quite changed. The supreme authority has given us the Union, and has laid down distinctly the conditions and principles on which it is to be effected; and in these it has assigned no power of change to the Provincial legislature. It has also specified certain *details* in which the power of alteration *is* given to that body. To endeavour to effect the last then is a legitimate attempt, in the event of these details being unsatisfactory to the people. But to endeavour to persuade the country, as is done by some of the agitators now at work, that the first admit of change, and that by the

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and spoke with the Opposition, notwithstanding that he had only just ceased to hold office under the constitution which he thus denounced as unjust and oppressive, and that he had resigned his office, not because he disapproved of the provisions of the Union measure, but because the administration of it was not entrusted to his friends.

The next question of importance was connected with the French elections, and was calculated, both from the manner in which it was brought forward and the propositions which it involved, seriously to embarrass the Government, and to place it in a false position before the country. It has been stated that the violence which occurred at several elections in the district of Montreal having resulted in the return of members pledged to support the Union, the Government had been accused by its opponents of having instigated, or at least of not having discountenanced, that violence. The candidates defeated at those elections petitioned the Assembly; but when their petitions were brought up, it appeared that through a misconception of the law none of them had been prepared in the only form in which they were "receivable" by the House, and that the time limited for their presentation did not admit of their subsequent alter-

legislature of the United Province, is to fly in the face of the Imperial authority, and to practise the most mischievous delusion on the people: a course which it is the duty of the Queen's representative, whoever he may be, to expose and check by every means in his power."

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ation. On discovering this error it was at first attempted to get over the difficulty by persuading the House to disregard, or rather to misinterpret the law; but that being found impossible, a bill was brought in by Sir A. MacNab, the leader of the "compact" party, to relieve the petitioners by extending the time within which their petitions should be receivable; and this motion was of course supported by all the French members, and by their allies, the ultra liberals of Upper Canada. The Government opposed it on the ground that it was in the nature of an ex post facto proceeding; and that it was unjust to the sitting members, who by the *laches* of the petitioners had acquired a legal title to their seats. They offered, however, in order to purge the Government from the imputations cast upon it, to consent to any inquiry which the House might desire, and to co-operate in any well-considered measure for preventing a repetition of violence at elections. But the Opposition, feeling their advantage, refused all compromise.

Those who brought forward this motion had of course well calculated not only the embarrassment which it must cause to the Government, but the advantage which it would bring to themselves. They were, no doubt, well aware that the Government could not agree to the proposed measure, and that it would therefore enable them both to represent the Government as endeavouring to stifle inquiry and to destroy the freedom of elections, and to put themselves forward as the advocates of popular rights.

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Nor had they over-estimated the effect of such a motion on that want of cohesion in the moderate reform party to which allusion has been made. Many of those who habitually supported the Government, and who invariably expressed their confidence in Lord Sydenham, either led away by the specious arguments or frightened by the taunting reproaches of their opponents, voted on this occasion against the Government. The bill was accordingly carried by considerable majorities in the House of Assembly, and sent up to the Legislative Council; but that body, less exposed to popular pressure, required some further justification than "public notoriety" for a measure of so unusual a character. They accordingly desired a communication from the Assembly of the grounds on which the bill had proceeded; and receiving no more satisfactory answer than that its object was to remedy an error of the Lower House as to the existing state of the law regarding election petitions, they refused to concur in it. Thus was the statute book of Canada preserved from a law which would have afforded a very dangerous, and not very creditable precedent, to subsequent times.

With this exception the session proceeded harmoniously. Lord Sydenham's opinion as to its prospects, and the effect of its successful commencement, is shown in the following extract of a private letter written by him on the 27th of June, a fortnight after the opening: —

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"It may be satisfactory to you to know that the first *test* of the Union Act has more than answered my expectations. I always considered the first start of the United Parliament as the touchstone of the plan. The entire want of acquaintance with each other's feelings, character, political history, or state of parties, which prevails between the inhabitants of Lower and Upper Canada respectively, always made one feel that the opening was the crisis of the great work; if not as regarded its success ultimately, yet at least with reference to what must be one great element of even that ultimate success, namely, the opinion that would be formed on it in England, where people look only to the great features of the case, and will not take the trouble or give the necessary time to understand details. I have therefore been very nervous upon this point, and the more so as I found that within the last month an attempt was making to throw every thing into confusion, and at least ensure a stormy opening. My officers (ministers!), though the best men, I believe, for their departments that can be found, were unfortunately, many of them, unpopular from their previous conduct, and none of them sufficiently acquainted with the manner in which a government *through* parliament should be conducted to render me any assistance in this matter. I had therefore to fight the whole battle myself; and it has been a considerable pull on both one's adroitness and temper—particularly as I had 'a ministerial crisis' on my hands on the very day of the meeting. The result, however, has been complete success. I have got the large majority of the House ready to support me upon any question that can arise; and, what is better, thoroughly convinced that their constituents, so far as the whole of Upper Canada and the British part of Lower Canada are concerned, will never forgive them if they do not. Whoever follows me now may, with management, keep every thing quiet, and rule with comfort. There may be a little bickering about the civil list, but I do not dread it.

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We have had discussed all the great topics,— the Union, Responsible Government, the Parliamentary conditions of the Union Act, confidence in the Administration, — every subject on which excitement might have been raised, and the agitators have entirely and signally failed. Except the rump of the old House of Assembly of Lower Canada and two or three ultra-radicals who have gone over with my solicitor-general whom I have got rid of, every member is cordially with me and my Government. Thus we shall go quietly to work at the measures of improvement which I have prepared, and we are sure of a peaceable and useful session. The Government officers will have time to acquire practice in their new vocation; the English and French members will learn to understand each other's real views and opinions; and the result will be to increase the majority which the Government already has, and render the new system perfectly stable.

"What I have seen, however, and had to do in the course of the last three weeks, strengthens my opinion of the absolute necessity of your sending out as my successor some one with House of Commons and Ministerial habits, —a person who will not shrink from work, and who will govern, as I do, *himself*. Such a man—*not* a soldier, but a statesman — will find no difficulties in his path that he cannot easily surmount; for every thing will be in grooves running of itself, and only requiring general direction."

From the commencement of the session, the labour and anxiety which had devolved on Lord Sydenham exceeded what he had gone through at any previous period of his administration. On its very threshold he had been deserted and opposed, as we have seen, by the member of his Government from whom he had expected the most efficient aid; and the other members who had seats in the Assembly were, as he states, with one or two exceptions, unac-

1841. quainted with parliamentary business, and inexperienced in the management of party politics. Under such circumstances it became necessary for him to decide not only on the principles of the measures to be introduced, but on the manner of introducing them, and the means of preventing or defeating opposition. To these objects his attention was incessantly directed, and the knowledge of parliamentary tactics which he had acquired by many years' practice in the House of Commons became the most essential element of his success. He entered into the fullest intercourse with members of every party, and during the whole day and a large portion of the night no moment of his time was unoccupied. His unceasing exertions were rewarded in the success of all the Government measures. He obtained the sanction of the Legislature to a measure extending to Upper Canada the municipal institutions established in Lower Canada by ordinance, thus affirming the details as well as the principles of the Special Council legislation on this subject, which had been denounced by the French Canadians. He introduced and procured the passage of Acts creating a "Board of Works" for the whole province, thus taking from the hands of irresponsible parties the power of jobbing with public funds, — for revising the customs laws, with a view not only to an increase of revenue, but to the encouragement of commerce, — for readjusting the currency, and for providing more extensive means for the education of the people, by the establishment

throughout the province of common schools. Besides these measures, he arranged with the Legislature the application of the liberal assistance of the Home Government to the establishment of the public credit, the completion of their public works, and the opening up of the vast regions at present almost impossible of access; — works which, were all else forgotten, would of themselves constitute the practical and most enduring monument of the benefits which Canada derived from his administration.* Many other acts of great importance relating to the judiciary, to the settlement of emigrants, and to other subjects of a local nature, were brought in by the Executive and passed; and on the subject of "responsible government," which question was again dragged into discussion by Mr. Baldwin, with a view of putting the sincerity of the Government to the test, he introduced and carried unanimously a series of resolutions in opposition to those proposed by Mr. Baldwin, distinctly recognising the irresponsibility of the Governor to any but the Imperial authorities, and placing the doctrine on that sound and rational basis which he had ever maintained. These resolutions, which may be considered as embodying his views and those of the then House of Assembly on this important question, will be noticed hereafter.

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It would be tedious to follow the course of the

* For a fuller explanation of the scheme of these works, see the Message to the Assembly of 20th August, 1841, printed in the Appendix.

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session minutely; it is enough to say, that with the exception of the French Election Bill and one other measure the Government was successful in every thing that it brought forward, and was almost invariably supported by considerable majorities. That other exception was a proposal for the establishment of a government bank of issue, which was evidently a question not of a political character; nor, considering the extensive influence of the private banks in Canada, can its failure be matter of surprise.*

* Adverting to this measure, Lord Sydenham thus writes on the 11th of July:—

"There is one of my Canadian measures on the anvil now in which you will feel an interest, and wish me success, I am sure. But as it involves private and *class* interests, and not political questions, upon which I am sure of my majority, I do not feel certain of getting it through; but if I can, I shall rejoice more than at any other work which I have been able to perform; for it will not only be good for this country, but will set an example to England, by which she may profit in a year or two when the Bank Charter is to be renewed. For it is the establishment of a perfectly sound paper currency by means of a single state bank of issue, based upon the pure principle of the issue of paper against bullion or coin, to the exclusion of any other paper whatever, payable on demand; the principle, in short, for which I contended in the Cabinet in the first instance in 1833, and which Sam. Loyd has since so ably advocated in a pamphlet.

"Circumstances at this moment are most favourable for the change; for the charters of nearly all the banks in both Provinces have either to be renewed this session, or have only a few years to run. They are therefore at my mercy. This country, too, affords a greater field for the operations of such a bank than perhaps any other in the world. Owing to the wretched state of the paper issue in the United States, there can be little doubt that in two or three years the paper of our bank would

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The following passages from letters written to his friends in England as the session advanced convey his private feelings of gratification, swelling

be the chief circulation of all the States bordering on Canada, which would tax the Americans for our benefit to the extent of 60,000*l.* or 70,000*l.* a year.

"If you want to see the full-blown benefits of unlimited paper-mills, you should come to this side of the water. There is an agio between every village and its next neighbour in the States, and nothing circulates but things called Shin Plaisters, notes of from one dollar to half a dollar. A dollar note is something like a 50*l.* note with us,—as rare and astonishing when you get a sight of one.

"I calculate the medium circulation of the Province at about 1,200,000*l.* at present, for which a rest of one fourth would be ample; so that I at once get 900,000*l.* to dispose of, or a clear gain of 40,000*l.* to 50,000*l.* a year, according to the value of money here. But I have not the least doubt that the extension of the circulation in the United States would, in a few years, more than double this profit. There will, however, be some deductions from this, as I must buy out the existing banks in order to carry my scheme.

"My chief difficulty is, that there is not a man in the legislature who understands these subjects at all, and to whom I can intrust my bill with any confidence. However, I get the members generally to come to me, and I give them lectures upon it; and thus, though there will be little argument of much value employed in its discussion in the Assembly, I do not despair of carrying my point by the mere weight of authority, and the confidence which most of them place in me.*

"Have you had the curiosity to read Mr. Clay's plan for a bank in the United States? It is a miserable make-shift; but even such as it is, I am told the President will *veto* it."

* In the Appendix will be found a sketch of this plan and a Memorandum, drawn up by Lord S. to explain its object and advantages.

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at last into a tone of exultation, at the success which attended his exertions.

On the 27th July, 1841, to Lord John Russell he wrote: —

"You are right in saying that if matters had not begun so favourably as they have, all that an ill-disposed Opposition could do under the Union Act would be to retard the prosperity of the colony. But then I have a sort of parent's pride in promoting that; and therefore although the Government *could* have been conducted, and as far as England is concerned I don't think you would have been troubled, *my* hopes and projects would have been disappointed by the delay. And I should not have been satisfied if the work I had carved out for myself had not been done, although what you had given me to do was. So I am well pleased that it has turned out otherwise. The people in the Assembly are very slow, to be sure, and lose a great deal of time in useless talk. However, every day adds strength to the mode of government which I have adopted, and we shall get on with business faster by and by I have no doubt. What I see of Assemblies, however, confirms my opinion of our having done right in getting so much accomplished in the Special Council. The legislation which was passed there would have taken ten years of an Assembly. And now, perhaps, I may not get all I want through; but I shall, even in this session, carry many most useful and important measures, and the rest will follow. The Union, at all events, is firmly and irrevocably established, and the new government thoroughly organised. In fact all that is essential is complete, and time will render the working of the system more easy, and mature whatever is now wanting."

On the 4th August, 1841, he again wrote to Lord John Russell in the following terms: —

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"I am sure you will learn with pleasure that our proceedings here go on prosperously. I have got through two most important measures already; and if the session produced no more, we should have done good service. But the rest will follow rapidly, and I do not despair of carrying my bank scheme, which is quite *an extra*. Your connection with North American matters will thus terminate most prosperously; and I think whoever will compare the state of things two years ago when you sent me out to do *your* work with that which exists at present, will not venture to affirm that any secretary of state before ever produced half so great a change. One province *then* without a constitution — under arbitrary power — with scarcely any good laws — with its whole framework, both of society and administration, completely disjointed; the other in a state of the greatest excitement and discontent; — both without any thing approaching to a government or departmental responsibility. *Now*, the constitution restored to one, and greatly improved in both — many most excellent institutions established by law in one, and improvements making in the other — the great and harassing questions of Church Revenue and Responsible Government settled — the offices of Government arranged so as to ensure responsibility in those who are at their head, and an efficient discharge of their duties to the governor and the public — the legislature assembled, acting in harmony with the executive, and really employed in beneficial and practical measures of legislation — public tranquillity restored, and its trade and immigration nearly doubled. I think that whoever may succeed you in the Colonial department will hardly be able to present such a picture, which I have not overcharged, and which I certainly do not paint in order to take credit to myself; for I repeat that it is to you it is due, for no one could have been the immediate instrument of producing the change, even if he had fifty times the talent or zeal which I can pretend to, if it had not been for your directions and en-

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couragement, and for the assistance which *you* supplied in England.

"I shall of course stay here till every thing to be done this session is well through, and I have been enabled after its close to do what is required in setting any new laws or institutions in operation. Nothing, therefore, can now prevent or mar the most complete success, and Canada must henceforward go on well, unless it is most terribly mismanaged."

On the 28th August he again wrote to Lord John Russell:—

"Whether in or out of Downing Street, you will I am sure be glad to learn that I have carried my great measure of the District Councils, and yesterday went down to assent to it in the Queen's name; so that is law now for the whole province, and the Union Act has received the addition without which, as I told you last year, when you left out my clauses, it was in my opinion unmanageable. I have carried this bill too in exactly the same terms as my ordinance for the Lower Province, thereby setting up the Special Council legislation by the sanction of the United Legislature. But every thing that I foretold in my despatch to you of September last, when I was very nearly abandoning the whole concern for want of these clauses, came to pass. The Tories opposed the measure because it gave too much power to the people; the Radicals because it imposed checks on that power. And with many members the bill was most unpalatable, though they did not like to avow the real motives of their dislike, because it is a death-blow to their own jobbing for local purposes. The combination was so strong that on a most important clause in the committee, that of the nomination of wardens by the Crown, we could only throw out an amendment making them elective by the casting vote of the chairman; the Tories actually voting for their election by the people, in order to quash the bill.

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After this clause, however, every thing went on prosperously; and the measure passed by forty-two to thirty in the Assembly, and unanimously in the Council without amendment. But there could not have been the slightest chance of getting such a law for the whole province, if it had not been already enacted for Lower Canada. Now it is impossible for any Governor or any Parliament to prevent the Union Act working well. All my other measures are through too, except the public works, and the ways and means for such of them as may be decided on; but that is the affair of the Assembly exclusively, and they may do what they like about it. I have given them a pretty good bill of fare* to choose from, which I send you in case you should not get the official despatch. If not adopted now, it will be next session, which is as good, for the country are wild for it.

"The Parliament will therefore, I hope, be in a state to prorogue in a fortnight or three weeks at farthest, and then it will take me nearly as much longer to wind up, as I am determined to leave nothing unsettled which I can do. But at the end of that time, the middle of October, I trust that I shall hear the guns pealing from the rock of Quebec; and a most delightful sound it will be to me."

On the same day he wrote thus to his brother:—

"My success has been triumphant, more so than I ever expected or had ventured to hope. I shall leave, I trust, a field which my successor, whoever he be, cannot mismanage. With a most difficult opening, almost a minority, with passions at boiling heat, and prejudices such as I never saw to contend with, I have brought the Assembly by degrees into perfect order, ready to follow wherever I may lead; have carried all my measures, avoided or beaten

* See the message to the Assembly of the 20th August, printed in the Appendix.

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off all disputed topics, and have got a ministry with an avowed and recognised majority capable of doing what they think right, and not to be upset by my successor. My last feat has been to carry the Municipal District Bill for Upper Canada, word for word after my own ordinance for the Lower Province; thereby not only giving the complement to the Union (for you know I always declared that without such institutions the Union could not work), but setting up my own particular legislation by the sanction of the United Parliament. The bill has passed both Houses, and I proceed to-day in state to give it the royal assent, in order to make perfectly sure of its being law, even if I were to quit this world the day after. But the trouble I have had to do this has completely justified all my anticipations of the next to impossibility of our getting such a measure through a Provincial Assembly, and the utter hopelessness of the effort, but for the course which I followed of dictating it, whilst I was dictator, for one part of the province first. One party hated the measure because it was to give power to the people; another because it placed that power under wholesome control by the Crown; a third because it deprived the members of the Assembly of all their past power of jobbing. But I beat them all three, to the utter astonishment of the spectators; and at last carried my work, the Bill, the whole Bill, and nothing but the Bill, by a majority of forty-two to twenty-nine, or more than one third. I have now accomplished all I set much value on; for whether the rest be done now or some sessions hence, matters little. The five great works I aimed at have been got through—the establishment of a board of works with ample powers; the admission of aliens; a new system of county courts; the regulation of the public lands ceded by the Crown under the Union Act; and lastly, this District Council Bill.

"I think you will admit this to be pretty good work for one session, especially when superadded to half a dozen minor measures, as well as the fact of having set up a

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Government, brought together two sets of people who hated each other cordially, and silenced all the threatened attacks upon the Union, which were expected to be so formidable.

"But as the people are willing to work on, I have given them out a fresh programme within the last five or six days, which I send you, involving four more great measures. This they have immediately set to work upon, and I shall really not be surprised to see them carried too; though certainly I do not expect it, and indeed have told the House that I leave it to them to do as they please, satisfying myself with putting before them what my views are, which may be filled up hereafter.

"What do you think of this, you miserable people in England, who spend two years upon a single measure?

"The worst of it is that I am afraid I shall never be good for quiet purposes hereafter; for I actually breathe, eat, drink, and sleep on nothing but government and politics, and my day is a lost one when I do not find that I have advanced some of these objects materially. That, in fact, is the secret of my success. The people know that I am ready at all hours and times to do business, and that what I have once undertaken I will carry through; so they follow my star.

"However, this will avail me nothing in England. No one there knows the difference between an active and a supine administration of affairs in a colony; and for all the credit to be got, except perhaps from Lord John, it will be as if I had never done any thing. So, though I write *to you* in high spirits, and recount my *hauts faits*, you need not think that I shall come back bragging of them, or expect to find that they have rendered me half so *marquant* a person as a good speech in the House of Commons or a successful breakfast at Greenwich would have done."

The Legislature having sat nearly three months, the time approached when Lord Sydenham would

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be entitled to consider the object of his mission accomplished by the closing of the first session of the Parliament of the United Provinces. The state of his health had long since warned him that his constitution would no longer endure the continued fatigue of such laborious exertions as he had been engaged in latterly, nor the severity of another Canadian winter. So early as March of this year, writing to his brother in England, he said —

"I have the gout in my hand, and can hold the pen with difficulty. This is now the *eighth* or *ninth* fit I have had in twelve months, which is really no joke. Yesterday I could scarcely have signed my name to my own reprieve if I had been sentenced to be hanged. To-day it has shifted into the other hand, and the right is freer, though terribly stiff and sore."

In the beginning of the next month, another attack of a still more serious character occurred, which has been already mentioned as having given rise to the most alarming symptoms. On the 10th of April he wrote to Lord John Russell —

"I have fortunately very little to say; for I cannot write, and am not very fit to dictate. The doctors thought me gone last Monday, but I got through it; I suppose to show them that they know nothing about either killing or curing. I shall be weak, I am afraid, for some time; and as they have coaxed the gout into the hands, and will do nothing to give it a chance of jumping again into the stomach or heart, it may be some time before I can hold a pen."

And on the 20th of the same month, writing with his left hand, he says —

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"I have had a narrow escape; but, thank God, have got through without much harm. It has, however, convinced me of the impossibility of remaining another winter in this country, and will hasten, or at all events confirm, my determination to quit it the moment the session is at an end. Fancy what a climate, when the snow is still two feet deep on the 20th April!"

Before he had completely recovered from the effects of this last seizure, a relapse took place early in May, and it was only towards the close of that month that he could use his pen again. On the 25th he thus writes —

"At last I can write to you with my own hand. Grey will have told you why I could not by the last packet. I was ill in bed, and utterly unable either to write or dictate. Not gout merely, but fever, and horrible prostration both of mind and body. *In fact I have been done by the work and the climate united*, and God knows whether I shall see the other side of the Atlantic again! . . . . . If God give me strength to get through my Parliament, I shall at all events be off the instant it is over."

The removal to Kingston benefitted his health in some degree, but could not effectually restore it. He wrote on the 5th of June, a few days after his arrival at Alwington House (a private mansion on the edge of the lake, which had been fitted up for his residence) —

"After Montreal the quiet of this place is delightful. I have a beautiful view of the lake, and grounds going down to it. For two years nearly I have not been able to take a stroll without my hat, or without the sentinels presenting arms, and I enjoy being able to do so amaz-

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ingly. The worst, however, is, that I do not recover strength, which hitherto I always did very rapidly after an attack. My work oppresses me as it never did before, and I am ready to hang myself half a dozen times a day. I am in the midst of the bustle attending the opening of the session, and have besides a ministerial 'crisis' on my hands. The latter I shall get through triumphantly; unless my *wand*, as they call it here, has lost all power over the members, which I do not believe to be the case. But the excitement and worry are more than I can stand in the present state of my health, and I do not know how it will end. I long for September, beyond which I will not stay if they were to make me Duke of Canada and Prince of Regiopolis, as this place is called."

Again, on the 25th of July —

"I have not been able to get away from Kingston for a day; nor do I think that I should get much benefit by doing so, unless it were for really a long time. It is the constant and unceasing labour and worry, unvaried by the least relaxation, which knocks me up, and prevents me from getting back my strength; and that can be cured only by a break-up of the whole thing. My *job* will be done at the end of the session, and I don't think I could gather any more laurels here; though I should perhaps be willing to stay for another year, if I could do so with any chance of living through it. But since that is out of the question, as my doctors tell me, and as I indeed feel myself, home I must go."

Under these circumstances, Lord Sydenham had taken the necessary steps for enabling himself to quit Canada at the close of the session. He sent home his formal resignation by the mail, which left Kingston on the 25th of July; and he had previously obtained from the Home Government a

leave of absence for some months on the ground of health, which would have dispensed him from the necessity of remaining at his post until he received intelligence of the acceptance of his resignation. 1841.

As the session advanced his health rather improved under the influence of the purer air of Kingston, the occasional exercise he was enabled to take there, and perhaps also the excitement of his success. He wrote towards the end of August in the highest spirits on this last account, as has been seen in the extracts already given from his private letters.

It was but a few days after the date of the last of these, that the fatal accident occurred which was to bring his labours to a premature close, and annihilate the anticipations he had begun to indulge of a not inglorious repose in the society of the friends from whom he had so long been separated.

On the 4th of September he was returning home from an excursion on horseback, when in ascending a hill at a canter his horse stumbled over a stone and fell, Lord Sydenham's right leg being unfortunately caught beneath the animal. The horse was soon on his feet, and moved forward some little distance, dragging the rider with his foot in the stirrup. From this position he was soon extricated and carried to his residence, then close at hand. On examination it was found that the principal bone of the leg was fractured obliquely, and a large and fearful wound created

1841. above the knee by the angle of a stone against which the limb had been dragged. Severe as these injuries were, for several days he appeared to be going on favourably. No fever supervened, and the medical men considered that the bone of the leg was uniting. His worst symptom was a continual restlessness and want of sleep. He himself repeatedly expressed doubts as to his ultimate recovery; but they seemed rather to proceed from the lowness produced by confinement, pain, and want of rest, than to be caused by any positive sensations of failing strength.

During this fortnight of protracted suffering, scarcely relieved for a moment by intervals of rest, Lord Sydenham's mind was still actively employed in endeavouring to complete the great public measures which he so anxiously wished to carry through the Legislature before its separation. Notwithstanding the agony he endured, his interest in these proceedings never for a moment relaxed. He received the officers of the Government and the members of both Houses as freely, and conversed with them as fully, as at any former period. He continued to make the necessary preparations for carrying out the legislative measures which had been already passed so soon as the session should be over; and only a week before his death he received the notification that the Queen had been pleased to accept his resignation, and in testimony of her approbation had honoured him with the grand cross of the Bath.

On the 11th of September he wrote thus to Lord John Russell: — 1841.

"My dear Lord John,

"I have received yours of the 18th August. I am much obliged to you for the red riband, but a great deal more for the kind manner in which you recommended it.

"You will have seen that I was determined to do all my business before coming away; and a pretty session it will be. Every measure will have been triumphantly carried. Though I could not get the Bank through, it must succeed another year. The House of Assembly wished to defer it for the session; but in the mean time they have taxed the issues of private banks, which will insure its passing. My successor, therefore, will have little of legislation even left for him.

"I wish I had managed my own matters as well. But a week ago my horse fell with me, broke the bone of my leg, and made a large hole above the knee. The accident is very painful, especially as the gout, which coward-like always takes one at a disadvantage, has stepped in to add to my sufferings; and, under any circumstances, I fear that I must have three weeks or a month of bed. The doctors, however, tell me I am sure to be in a state to be moved by water to Quebec in time to get off this autumn. You will understand from this account of myself why I write, or rather dictate, to you as little as possible. Believe me yours, &c.

"SYDENHAM."

He wrote likewise to Lord Falkland at the same time, requesting him, if possible, to send the Pique to Quebec to take him home.

"I should very much like (he said) to have that frigate sent for me. She brought me out, and I should rather like to go home in her. Besides which I shall probably be able

1841. to do Captain Boxer a service, if he manages to come to Quebec, which I should be desirous of doing.

"My Parliament will be finished next week. They have done all their business, and only missed one thing I wanted them to do—a bank of issue; but that will come.

"Adieu, my dear Lord Falkland. I am at my sixth day, and neither fracture nor wound improve upon acquaintance—which you must receive as my apology for not writing to you more fully.

"Yours very truly,

"SYDENHAM."

The anticipations of his return home contained in these letters were not destined to be fulfilled. Indeed, in the shattered state of Lord Sydenham's constitution, fears might reasonably have been entertained from the first that his system had not strength sufficient to bear the shock, or to repair the internal mischief occasioned by it. Gout, too, as we have seen, supervened, adding to the sufferings and weakness of the patient, and diminishing the chances in his favour.

On the ninth day it became evident that no progress had been made towards the knitting of the fractured bone, and alarming symptoms began to manifest themselves in cramps, commencing in the leg and extending gradually to the stomach and throat—yet still the medical men considered him in no immediate danger. The prorogation of the Legislature had been first fixed for Wednesday the 15th of September, but at the request of the Assembly had been postponed to Friday the 17th. Up

1841. to Thursday night there was no apprehension of a fatal result; and during the whole of that day Lord Sydenham was occupied in deciding on the bills sent up to him by the Legislature, and in dictating the speech with which he proposed to close the session. On Friday morning he corrected his speech, and continued to transact public business; but he was evidently worse, and the prorogation was therefore postponed—in the afternoon of that day his medical attendants fearing that delirium might come on, he was advised to depute General Clitherow, the senior military officer on the spot, to prorogue the Houses. In the night between Friday and Saturday the 18th a change took place, which for the first time thoroughly aroused his family to his imminent danger, and showed that his sufferings were fast approaching to a fatal termination: all his symptoms were in those few short hours fearfully aggravated,—the spasms by which for several days he had been tortured became more frequent and intense, and his strength was evidently fast failing. Those who had hoped most were now forced to allow that hope was no longer reasonable; and the only question was, how many hours he might still linger in agony.

He became very soon aware of his own state; yet even in those trying moments, when all worldly prospects were fast fading from his sight—when the reward of success and the discredit of failure were becoming alike indifferent, his sense of duty

1841. still kept alive his interest in public matters. With a calmness and tranquillity most astonishing to those who witnessed it, he continued between the paroxysms of pain to devote his attention to such public matters as required immediate decision. His faculties remained unimpaired; and early in the day he executed his will, in which, among other legacies, was one "in token of his friendship and esteem" to Lord John Russell. When this part of his will was subsequently read over to him, he repeated twice in a firm and emphatic tone, "He was the noblest man it was ever my good fortune to know." Among the many testimonies which during his public life Lord John Russell may have received, none can have borne more deeply the stamp of sincere attachment and admiration than these few words from the dying lips of his friend and fellow-statesman.

In the afternoon Lord Sydenham invited all the members of his family to unite with him in receiving the Holy Sacrament. After the administration of that sacred ordinance he took leave of them individually, addressing to each some words of kind remembrance, accompanied by some token of his regard. He then desired to be left alone with his chaplain; and during the night he continued constant and fervent in prayer, and in preparation for the awful change about to take place. No murmur at his untimely fate ever escaped his lips, but in his death he evinced the same firmness and strength of mind which in life had been his distinguishing

1841. characteristic. Throughout the night his sufferings continued unabated, and repeatedly those who watched thought that his last moment was come; but it was not until seven o'clock of Sunday the 19th that he breathed his last.

Lord Sydenham's death naturally created the most intense feeling throughout the Province. Until within the last twenty-four hours no one had contemplated the probability of a fatal result; and the news of it came therefore on the public with the force of an unlooked-for and sudden shock. Nor could any one fail to be struck with the peculiar and melancholy circumstances which marked this event. He had just reached the term proposed by himself to his labours; he had accomplished every object for which he had been sent out; he had struggled against and overcome difficulties by which a less resolute and persevering character would have been vanquished; and he had received from the hands of his Sovereign the most distinguished tokens of her approbation and confidence. His fame was at its zenith, and he was on the point of returning to his native land to enjoy the honours which he had so laboriously won, when the prize was snatched from his hands, and his career brought to an untimely close. Never had a more impressive lesson on the vanity of human life and the worthlessness of its ambition been read to the world. No words that the moralist might use could equal

1841. the reflections to which the facts themselves gave rise.

But while to Lord Sydenham's immediate friends his death was a cause of poignant grief, to the great majority of the people of Canada it came in the light of a public misfortune. The great complaint which had been on the lips of all, the source to which they attributed the misgovernment of former years, was the ignorance which, whether rightly or wrongly, they considered to prevail in the Home Government as to their real wants and wishes. They had looked to Lord Sydenham to supply this deficiency; and had trusted that in his place in the House of Lords his personal experience and local knowledge would prevail with whatever party might for the time be in power. Every man, whether his supporter or opponent, was willing to acknowledge his energy, his talents, his peculiar aptitude for business, his quick apprehension, his indefatigable industry. Nor when they saw him toiling day and night in the public service, through good repute and evil repute, in sickness and pain no less than in health, could any refuse to give him credit for the interest which he ever expressed in the welfare of the country. To all who had looked to his future career with such hopes and feelings, his death appeared like another link in that fatal chain of accidents which had constantly deprived Canada of its ablest friends at the moment when their advocacy would have been most effective.

These sentiments naturally found an echo in the

public press, which from one end of the Province to the other gave utterance to expressions of sincere regret over the untimely fate of their late governor. With scarcely a single exception, the public journals exhibited on this sad occasion the most creditable feeling—they laid aside for the moment their personal and party politics, and united in one general testimony to the services which Lord Sydenham had rendered, and to the loss which the Province had suffered. These tributes were afterwards collected by a member of the Assembly, at one time Lord Sydenham's most uncompromising and ablest opponent, but latterly (from a conviction of the wisdom and rectitude of his policy) his sincere eulogist and supporter; and some selections from them are presented to the reader in the Appendix, as affording the most unquestionable and satisfactory evidence of the feelings to which Lord Sydenham's death gave rise at the time. 1841.

Nor, indeed, when we look back at the effects produced by his short but vigorous administration, can we be surprised at the unanimity which prevailed on this occasion. He had found the Provinces staggering under the effects of the two rebellions; their inhabitants divided against each other, their improvements arrested, their exchequers empty, their credit annihilated, each man mistrusting his neighbour, and all looking to the military force as the only security against renewed violence and ultimate separation from the mother country. In less than two years the picture was reversed. He

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left the Provinces in the most complete security and repose; safe not only against foreign aggression, but against intestine discord: hope and confidence revived in every bosom, the public works again in progress, credit re-established, and the union with the mother country cemented and placed on a broader and more secure basis. In the addresses which greeted his successor on his arrival no circumstances formed so frequent a subject of congratulation as the profound tranquillity which then prevailed, and the revival of hope and confidence. Comparing these testimonies with the account of the Upper Province given by the Lieutenant-Governor one month only before Lord Sydenham's arrival, it is impossible not to recognise at once the wonderful effects of his policy.

To produce this extraordinary alteration Lord Sydenham had had recourse to no organic change in the constitution, but had brought it about merely by adopting a more liberal system of administering the Government, and by enlisting the sympathies of the people and their representatives on the side of the Executive. Up to his time it had been practically the custom to consider the popular and executive branches of the constitution as naturally and necessarily antagonist to each other; and thus had grown up on the one hand a jealousy of encroachment, and on the other an impatience of opposition, which made co-operation between the two purely impossible. To such an extent had these feelings been carried, that at the commencement of the

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session of 1839–40 in Upper Canada, an attempt was made to prevent communication to the Governor of the daily proceedings of the House of Assembly; and some members even complained of the presence of individuals of the Governor's household among the crowds who daily attended the debates, lest they should carry to the Governor's ear the proceedings of the House!

The moment of Lord Sydenham's arrival was peculiarly favourable for the introduction of a better system; indeed had he been himself less anxious on the subject, it would have been forced on him by the circumstances of the time. The discussion of the "responsible government" doctrine had roused every man's attention to the principles of representative government, and to the manner in which those principles had been carried into effect in Canada; and there was a general feeling, both among the supporters and opponents of that doctrine, that the time was come beyond which it would be no longer possible to postpone a declaration of the views of the Government upon it. Both parties were eager for such a declaration; but it was by the "compact" party that the subject was first brought formally into discussion in the House of Assembly, in the hope of eliciting from Lord Sydenham some answer unfavourable to the popular party. That answer, as we have already seen, avoided the snare by abstaining from all argument, and simply enunciating the broad principle that the Government was to be conducted in

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harmony with the well-understood wishes of the people; or, in other words, that the attempt to govern by a minority would be abandoned; and this declaration was received by all moderate men as sufficient. It was, however, far from equally satisfactory to the "compact" party, who were anxious to push the Governor to more specific propositions, which they well knew would give occasion to cavil and argument, and might possibly bring about an eventual rupture between him and his supporters.

But in this attempt they were foiled by Lord Sydenham's prudence. In truth no one understood more perfectly than he did the impossibility of defining a principle of government by precise terms, and the consequent danger of making the attempt. Even in the mother country, where the practice has been so long established and so well understood, where the theoretical anomalies are less striking, and where there exists no extraneous authority to be consulted, who would venture to define the exact limits of the prerogatives of the crown, or the responsibility of ministers, or lay down any invariable rule as to the circumstances which should justify their retention or lead to their resignation of office? How much more impossible, then, to do so in a society where both practice and principle had been hitherto alike unknown,—where party feelings were much more intense, and where, therefore, there would naturally have been much greater disposition to push the theory to its extreme results? Accordingly, on

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this first opportunity, Lord Sydenham confined himself to such general terms as were sufficient to meet the immediate object of putting an end to angry discussion. But on the next occasion that offered itself, namely, during his visit to Nova Scotia, he entered more at large into the subject; fortified, no doubt, by the experience which he had acquired during the intervening period, and anxious before the new constitution came into operation in Canada to leave no question as to the course which he meant to pursue. Upon this occasion, therefore, he expressed himself, as we have already seen, in the following terms:—

"It is the anxious desire of the Queen that her British North American subjects should be happy and prosperous,—that they should enjoy that freedom which is the birthright of Britons, and bless the tie which binds them to her empire.

"Her commands to her Representative are, that he should consult their wishes and their feelings,—that he should promote their interest by well-considered reforms, and suit his administration of affairs to the growing importance and varying circumstances of each Colony;—that whilst it should be alike his interest and duty to listen respectfully to the opinions which may be offered to him, and to seek the advice of those who may be considered to represent the well-understood wishes of the people, he can devolve the responsibility of his acts on no man, without danger to the connection of the Colony with the Empire, and injury to the best interests of those whose welfare is committed to his care.

"I feel confident that the people of Nova Scotia, distinguished for their loyalty to the Sovereign, and proud of

1841. their connection with the British Crown, will yield to no attempt to inspire them with other feelings, or to lead them to demands incompatible with these principles."

The third and last occasion on which he announced his views on the subject was in the Resolutions brought forward by his Council in the United Legislature, in substitution for those proposed by Mr. Baldwin, and carried unanimously. These Resolutions were as follows:—

"1. That the head of the Executive Government of the Province being within the limits of his Government the representative of the Sovereign, is responsible to the Imperial authority alone; but that nevertheless the management of our local affairs can only be conducted by him, by and with the assistance, counsel, and information of subordinate officers in the Province.

"2. That in order to preserve between the different branches of the Provincial Parliament that harmony which is essential to the peace, welfare, and good government of the Province, the chief advisers of the representative of the Sovereign, constituting a Provincial Administration under him, ought to be men possessed of the confidence of the representatives of the people; thus affording a guarantee that the well-understood wishes and interests of the people, which our gracious Sovereign has declared shall be the rule of the Provincial Government, will on all occasions be faithfully represented and advocated.

"3. That the people of this Province have moreover a right to expect from such Provincial Administration the exertion of their best endeavours that the Imperial authority, within its constitutional limits, shall be exercised in the manner most consistent with their well-understood wishes and interests."

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These several declarations contain a formal and complete record of Lord Sydenham's views on the subject of responsible government. There is no mystification about them, nor can any man pretend to misunderstand their tenor. They embody the two great principles which he ever asserted, and which formed the leading rules of his administration; viz.—

1st, That as her Majesty's representative he was himself responsible to the Imperial authorities alone; and,

2nd, That it was his duty so to form and conduct the Government as to ensure its harmony with the majority of the House of Assembly.

The combination of these two principles has been regarded by some as impossible; and it has been objected that if the Governor is to conduct his administration through an executive council who are to be kept in general accordance with the House of Assembly, he must become in practice the creature of the Council, and through them of the Assembly; and that his responsibility to the Imperial Government must be nugatory. That the result *need* not be so, requires no stronger proof than Lord Sydenham's own Administration. No Governor could have had greater difficulties to contend with; none could have found parties more exasperated against each other; none could have had to encounter an opposition more compactly united, or unscrupulously determined. Yet against all these difficulties he succeeded; not after a

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lapse of time and varying chances, but at once, and unequivocally; and throughout he contrived to reconcile the two apparently conflicting principles. No man ever asserted that he was the creature of his council, or that the policy which was followed during his administration was not his own: on the contrary, the general accusation against him was, that he carried his own views too exclusively against those of his advisers, and that he was too much, rather than too little, of a Governor. Yet that he carried the Assembly with him is equally indisputable, and that without any unworthy or temporising concessions to popular feeling, and without ever compromising the duty which he owed to the Imperial Government. The plausibility of the objection lies really in the contemplation of extreme rather than of ordinary cases,—of what may, instead of what will, happen. Nor is sufficient weight given to the personal character of the Governor, and to the legitimate influence of his position,—on the right use of which almost everything must depend. This will be evident on a very little reflection.

Every one must admit that the first principle to be maintained in every part of the British dominions is the supremacy of the Imperial Parliament and Government; and that this supremacy ought not to be limited or bartered away for any consideration whatever. But it is equally undeniable that this authority cannot be used for the management of the daily routine of Colonial Government, both because of its distance from the scene of action, and because of its unavoidable ignorance of local details. "Nec Deus intersit," &c. is an aphorism peculiarly applicable in this case. The interference of the metropolitan power must be reserved for those extraordinary cases "where," in the words of Lord John Russell's despatch to Lord Sydenham, "the honour of the Crown or the interests of the Empire are deeply concerned." This is no new theory. It pervades the whole of Lord Glenelg's instructions to the Commissioners and the Earl of Gosford in July, 1835; and in his instructions to Sir F. Head of December of that year is expressed in the following terms:—"Parliamentary legislation on any subject of exclusively internal concern, in any British colony possessing a Representative Assembly, is as a general rule unconstitutional. It is a right of which the exercise is reserved for extreme cases, in which necessity at once creates and justifies the exception."

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But cases in which the honour of the Crown or the interests of the Empire could be affected by the proceedings of a colonial legislature must be very rare; and it will seldom be found that the colonists so far misunderstand the nature of their position as to offer any resistance to the Government in such matters. They must relate almost exclusively to the foreign relations of the Empire, or to regulations connected with its trade,—subjects on which the incompetency of a subordinate legislature is so self-evident and acknowledged as to leave no room

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for question. In the improbable event of a colonial legislature putting itself in opposition on these points to the Imperial Government, the course is plain. As their success in such a struggle would be independence, the whole power of the Empire must, if necessary, be put forth to prevent that success. But in the daily routine of internal government, in that which comes home to the feelings and interests of every individual, the metropolitan authorities can have no motive for interference; nor can any imperial interest be affected by it. Those duties which embrace, among other things, the improvement of the municipal institutions and of the local judiciary, the establishment of schools, the assistance and direction of public works, the selection of the magistracy, the appointments to the militia, the nominations to office, and other matters of a like nature, are far beyond the cognisance of the home authorities, and must be left to the Governor and his advisers. Every one who has lived in a colonial society will bear testimony to the importance of these questions, and to the effect which may be produced on the popularity and influence of a government by a right or a wrong use of the prerogative of the Crown in the distribution of appointments, whether lucrative or merely honorary. In a society where hereditary rank is unknown, even the latter appointments, as the only means of distinction within the reach of the great bulk of the people, are sought with an avidity which to an European eye would appear unreasonable. One of the charges most commonly brought against the old official party of Upper Canada, and which most contributed to their unpopularity, was their supposed exclusiveness in the distribution of this kind of patronage.

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But even the Governor cannot discharge duties of this nature except with the advice of his subordinate officers. It is impossible for one who has not passed his life in the colony, and mixed familiarly with its inhabitants, to be acquainted with the qualifications and claims of the respective candidates for office in a country so extensive as Canada. For assistance, therefore, he must look, and has always looked, to those about him. Under the old system the official party naturally and excusably recommended their own friends—those who thought with them in politics, and whose opinions they accordingly looked upon as embodying the true faith; and as this party were often in Upper, and always in Lower Canada, in a minority in the Legislative Assembly, and as their tenure of office was virtually permanent, the magistracy and militia soon came to be filled with those who did not carry with them the confidence of the people. This inconvenience is at once put an end to by making the existence of the Executive Council to depend on its carrying with it a majority in the House of Assembly; in which case the councillors will naturally consult not their own prepossessions alone, but the wishes of the bulk of the representatives of the people. It then remains for

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the Governor only to guard against a too exclusive party bias, or a too great seeking of popularity in such matters.

It may no doubt be argued that collisions will arise between the Governor and the majority in the House of Assembly, and that in that case the Governor will almost invariably be compelled to give way. Admitting the truth of this argument, it must also be admitted that the existence of such collision would be a primâ facie evidence of unskilfulness or want of knowledge on the part of the Governor. Invested as that officer is with the disposal of the whole patronage of the colony, and fortified as we must assume him to be by a knowledge of political affairs and an acquaintance with the management of mankind as superior as his rank, his influence ought to be, and must be, only not conclusive with his council. With the power of immediately changing that body, the range of his policy would be circumscribed only by limits which not only his existing council, but which any council likely to obtain a majority in the actual Assembly, or in one to be elected on a dissolution, would refuse to overstep. If such a case should indeed arise, who will pretend to say that the Governor ought not to give way? To invest him with power to resist the almost unanimous voice of the people in matters relating to their own internal concerns, would be to establish an Executive despotism, — a proposition to which few Englishmen would be prepared to accede.

Cases, of course, may be imagined in which the

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extreme use of their power either by the executive or the legislature would bring the Government to a dead lock; but this is a defect inherent in every system of mixed government, and independent of the mode of its administration. It is, however, sometimes further argued that a colonial legislature, anxious to carry some object beyond their jurisdiction, might, in order to compel the Government to give up the point, embarrass its march in matters which fall within their jurisdiction. If such should be the case, — if a colony should really pervert its constitutional powers to a weapon of offence against the authority from which it derives its constitution, the remedy is to be found, not in a despotic administration of the government, but in a curtailment or deprivation of the powers thus abused. The argument goes far beyond the case to which it is applied: it goes to prove, if it prove any thing, the inappropriateness of representative government to a colonial society, — the impossibility of establishing such a constitution without laying the foundation of an early separation from the parent state.

Nor is the argument of those less unreasonable who maintain that if a collision should arise between the imperial and the local authority, the former would by the concession of responsible government have been deprived of a portion of its power to enforce obedience. Can it be supposed that the mother country would speak with less influence when it could appeal to a long course of liberal

1841. treatment, than when by a system of unreasonable opposition or restraint it had chafed the temper of the colonial population into fury? Or is it possible to believe that such opposition can produce any other effect than irritation and contempt, in place of submission and respect? In point of fact, the feelings caused by a system of needless and unreasonable obstruction are much more dangerous to the power of the mother country, and the permanence of the connection, than a dozen isolated acts of straightforward authority.

In short, it is a mere truism to say that a representative legislature, wherever established, must influence the conduct of the executive government, and that if it is not allowed to act in a regular and legitimate manner it will act by convulsion. But the success of responsible government, or, if that name be objected to, of constitutional government, under a representative system, must depend in a colony, as in the mother country, on the discreet and forbearing use of the powers vested in the several authorities which together constitute the state. If one of these make an extreme use of its powers, the equilibrium will be destroyed, and confusion must ensue. The Imperial Government, in the first place, must forbear from exercising capriciously or unnecessarily its undoubted right to control the local policy of the Governor,—the Governor must abstain from using the prerogative of the Crown in contempt of or opposition to the well-known feelings of the people; and they on

1841. their part must not attempt to push popular theories beyond the legitimate limits of a mixed government, or to coerce the Governor into measures inconsistent with his duty to his sovereign. But to carry out this system, it is evident that almost every thing must depend on the Governor himself. He must possess the confidence of the Home Government to secure his independence of action and the consistency of his policy. He must be fitted to obtain the respect of the people, that he may arrest any tendency on their part to extreme measures; and he must be endowed with moral courage, firmness of mind, and extensive knowledge, that he may direct the councils of his official servants, and take the lead in the introduction of those measures which are required for the public advantage.

These qualifications were united in an eminent degree in Lord Sydenham. His position as a cabinet minister, and the change by which simultaneously with his appointment to Canada Lord John Russell took charge of the Colonial department, were an earnest to all the world that he would be sure of the support of the Home Government. He was thus invested, from his first landing at Quebec, with an influence which no previous Governor had possessed, and which every succeeding day tended to confirm. It was observed that Lord John Russell not only afforded him the most prompt and generous support, but took every opportunity of proclaiming that support in the most public manner—that in every series of papers laid before

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Parliament this fact was brought prominently forward, and that sometimes papers were published of which this was apparently almost the whole object. These documents being immediately copied into the Canadian newspapers, no inhabitant of the Province could fail to know the terms of mutual confidence and respect which subsisted between Lord John Russell and Lord Sydenham. The authority which he derived from this circumstance formed an essential element of his success, since it was felt that he was clothed with the full power of the British Government; that in what he decided his decision would be final; and that his promises or threats were equally sure of fulfilment.

But his personal character and previous political career were also exactly suited to assist him in his task. While as the son of a merchant, and himself at one time engaged in trade, he possessed an authority with the mercantile community which probably no other man could have obtained, his intimate connexion with the liberal party in England, was a security to the Reformers of Upper Canada against his falling into the hands of the "Compact." And thus while the merchants of Quebec and Montreal, on the one hand, were prepared to support a Governor who, for the first time, understood their commercial schemes and interests as well as themselves,—who was always ready to enter into communication with them on such subjects, and who was scarcely less anxious than they to foster the advancement of the country, the Re-

formers of Upper Canada willingly abated in his favour a portion of the jealousy with which they had been accustomed to regard their successive Governors; and which, however unwise, was under the circumstances not unnatural. Had his political character and habits of business been less known, it is not improbable that the indifference of the commercial body of the Lower Province and the jealousy of the Upper Canada Reform party might have induced them to stand aloof, until he had given some unequivocal pledge as to his intended policy; and thus the success of his mission would have been at least postponed, even if it had not been permanently endangered. 1841.

But the most useful of all his qualities,—those without which neither he nor any other Governor could at such a crisis have succeeded,—were his moral courage, indomitable energy, and intimate acquaintance with parliamentary tactics. It is impossible attentively to consider his career, or to read the extracts which have been given from his private correspondence, without being struck with his admirable decision and energy. His courage appeared ever to rise with the emergency, as if the difficulties which would have affrighted others did but add a zest to the excitement which he derived from the struggle. It was the possession of these qualities which enabled him to take that decided line in the session of the Upper Canada Legislature which breathed consistency into the unsteady councils of his supporters, while his knowledge of parliament-

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ary proceedings showed him how to turn their numbers to the best possible account. The same qualities enabled him to brave the virulent attacks of the French Canadians and their adherents, and finally to discomfit the unexpected hostility which burst upon him at the opening of his last parliament, from a quarter which, up to that moment, he had considered friendly. Had he at that conjuncture evinced any wavering or despondency, Mr. Baldwin and his party would probably have triumphed, and the working of the Union Act might have been seriously impeded. Lord Sydenham's resolution saved that measure from at least the ill omen of a bad beginning, and thus secured for it a success which admitted neither of dispute nor qualification.

Had Lord Sydenham's administration in Canada been prolonged, there is good reason to believe that of those who had been his most inveterate opponents during the first session of the United Legislature, many would have been brought over to a less uncompromising opposition, if not to actual support. Even among the French members, symptoms of a change were visible, of which Lord Sydenham had not been slow to avail himself. To several of that party he had promised appointments, which he did not live to bestow on them, but which they received from the hands of the Commander of the Forces after his death. These members would naturally have supported his government; and there were so many reasons why the great mass of that people should range themselves on the same side,

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that it seems scarcely probable that they would long have continued blind to the falsehood of the representations which charged Lord Sydenham with hostility towards their race. That he was actuated by a feeling the very opposite to this, is shown by every act of his administration. Had it been otherwise, how completely might he not have annihilated the political power of the French party at the time of the passing of the Union Act!

No one will deny that in the year 1839 there was in England a general dislike to the restoration to the French of any share of political power. Nor was this feeling unnatural. In his Report * Lord Durham had described in the following terms the sentiments of the two races in Lower Canada. "Removed," he says, "from all actual share in the government of their country, they (the French Canadians) brood in sullen silence over the memory of their fallen countrymen,—of their burnt villages, of their ruined property, of their extinguished ascendency, and of their humbled nationality. To the Government and English they ascribe these wrongs, and nourish against both an indiscriminating and eternal animosity. Nor have the English inhabitants forgotten in their triumph the terror with which they suddenly saw themselves surrounded by an insurgent majority, and the incidents which alone appeared to save them from the unchecked domination of their antagonists. They

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ary proceedings showed him how to turn their numbers to the best possible account. The same qualities enabled him to brave the virulent attacks of the French Canadians and their adherents, and finally to discomfit the unexpected hostility which burst upon him at the opening of his last parliament, from a quarter which, up to that moment, he had considered friendly. Had he at that conjuncture evinced any wavering or despondency, Mr. Baldwin and his party would probably have triumphed, and the working of the Union Act might have been seriously impeded. Lord Sydenham's resolution saved that measure from at least the ill omen of a bad beginning, and thus secured for it a success which admitted neither of dispute nor qualification.

Had Lord Sydenham's administration in Canada been prolonged, there is good reason to believe that of those who had been his most inveterate opponents during the first session of the United Legislature, many would have been brought over to a less uncompromising opposition, if not to actual support. Even among the French members, symptoms of a change were visible, of which Lord Sydenham had not been slow to avail himself. To several of that party he had promised appointments, which he did not live to bestow on them, but which they received from the hands of the Commander of the Forces after his death. These members would naturally have supported his government; and there were so many reasons why the great mass of that people should range themselves on the same side,

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that it seems scarcely probable that they would long have continued blind to the falsehood of the representations which charged Lord Sydenham with hostility towards their race. That he was actuated by a feeling the very opposite to this, is shown by every act of his administration. Had it been otherwise, how completely might he not have annihilated the political power of the French party at the time of the passing of the Union Act!

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* Page 20.

1841. find themselves still a minority in the midst of a hostile and organised people; apprehensions of secret conspiracies and sanguinary designs haunt them unceasingly; and their only hope of safety is supposed to rest on systematically terrifying and disabling the French, and in preventing a majority of that race from ever again being predominant in any portion of the legislature of the province. I describe in strong terms the feelings which appear to me to animate each portion of the population; and the picture which I draw represents a state of things so little familiar to the personal experience of the people of this country, that many will probably regard it as the work of mere imagination; but I feel confident that the accuracy and moderation of my description will be acknowledged by all who have seen the state of society in Lower Canada during the last year. Nor do I exaggerate the inevitable constancy any more than the intensity of this animosity. Never again will the present generation of French Canadians yield a loyal submission to a British Government; never again will the British population tolerate the authority of a House of Assembly in which the French shall possess, or even approximate to a majority."—In a subsequent part of his Report he again expressed himself on the same point in words scarcely less impressive. "I have already described," he observes, "the state of feeling which prevails among each of the contending parties, or rather races;—their all-pervading and irreconcilable enmity to each other;

the entire and irremediable disaffection of the whole French population; as well as the suspicion with which the English regard the Imperial Government; and the determination of the French, together with the tendency of the English, to seek for a redress of their intolerable present evils in the chances of a separation from Great Britain." And in summing up his report he had recommended that "in order to prevent the confusion and danger likely to ensue from attempting to have popular elections in districts recently the seats of open rebellion, it will be advisable to give the Governor a temporary power of suspending by proclamation, stating specifically the grounds of his determination, the writs of electoral districts, in which he may be of opinion that elections could not safely take place."

Such opinions, coming from so high an authority, appeared to justify the fears which had been before produced by the insane proceedings of the French; and accordingly when the first Union Bill was brought forward, the general objection urged against it was the danger of entrusting political power to men whose disaffection was so notorious. In England, therefore, Lord Sydenham could have anticipated no difficulty, had he thought fit to throw the weight of his personal experience into the scale against the French. Nor had he more to fear in Upper Canada. We have seen that on his first landing in the capital of that province he was met by an address from the corporation of Toronto, the self-styled "highest municipal body in the pro-

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vince," in which the ascendency of the British, and the subjection of the "aliens," i.e. the French, was strenuously insisted on. We have also seen that in the session of 1838–9, the Assembly of that province had adopted resolutions on the subject of the Union which would have placed the French in a hopeless minority, and have proscribed their language and their laws. What could have been easier for Lord Sydenham, had he really been hostile to that race, than to have acquiesced in the passing of similar resolutions in the session of 1839–40? No direct action would have been necessary on his part; he had but to withhold his opposition, and the former resolutions would again have been placed on the journals of Upper Canada. It was his strenuous opposition alone,—his uncompromising determination, notwithstanding the timidity and reluctance of some of the local authorities, that defeated that proposal, and secured for the French the ample share of representation which they now enjoy. Had he taken the opposite course, and either seconded Lord Durham's suggestion, that the Government should be vested with a discretionary power to suspend writs in French counties; or supported the resolution of the Assembly of Upper Canada, that the Lower Province should return but 50 while the Upper Province returned 62 members,—there can be no question that, so supported, these provisions would have been incorporated by the Imperial Parliament into the Union Bill. In that case the French might really have complained of

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being deprived of a fair share of representation—a complaint which at present is quite unreasonable.*

But how does Lord Sydenham's conduct towards the French after his return from Upper Canada bear out this accusation, so often and so confidently repeated that at last it obtained currency, if not belief? One of his first measures was to offer M. Lafontaine the appointment of Solicitor-general, which would of course have led to his having a seat in the Executive Council, with the avowed object, as M. Lafontaine himself declared, of reconciling the French to the Government, and of dispelling

* The whole population of United Canada is about 1,150,000, of whom about 650,000 are in Lower Canada, and 500,000 in the Upper Province. Of the 650,000 in Lower Canada probably 500,000 are French; but as almost the whole stream of emigration passes through Lower Canada to the Upper Province, and as the number of emigrants during the year 1842, including those from the United States, was upwards of 50,000, and will in the present season be probably greater, it is evident that in a very few years the balance of population will be in favour of Upper Canada, and against Lower Canada. If, then, the proportion of representatives from each Province had been fixed, as the objectors would have proposed, simply with reference to numbers, it would have been necessary very shortly to alter that proportion to keep pace with the fluctuations in the population, and the superiority which in the first instance Lower Canada would have obtained, in a very few years would have passed from it, and for ever, to Upper Canada. Nothing, therefore, can be more short-sighted than the wisdom of those who, with such facts before their eyes, are still perverse enough to sacrifice all their future advantages for a precarious and most short-lived benefit, and who insist on denouncing as oppressors and tyrants those who, with more prescience than themselves, defeat this suicidal policy.

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that stubborn sullenness which was gradually unfitting them for the right use of free institutions. Nor is it unimportant to consider the time and circumstances under which this offer was made. It was made almost immediately after Lord Sydenham's return from Upper Canada—as soon as possible after the permanence of the existing tranquillity had been ascertained; not forced upon him by the pressure of circumstances, but his own spontaneous act, and evidently intended as an amnesty for the race whom M. Lafontaine was supposed to represent. To those who think that the French were justified in their rebellion, this offer may appear insufficient; but to all who feel that the rebellion was unjustifiable—that the French had much to atone for, and the Government much to forgive, this early tender of reconciliation will appear not satisfactory only, but generous. Unless Lord Sydenham had been willing, in deference to M. Lafontaine's objections, to abandon the Union, or at least to recommend a modification of the terms which had been solemnly sanctioned by the Special Council of Lower Canada and the whole Legislature of the Upper Province, it is not easy to understand what more he could have done. The objection taken by M. Lafontaine shut the door against all further negotiation with him—it amounted to a positive refusal on his part, and of course on the part of his adherents, to co-operate with the Government, except at the price of the Constitution.

Shortly afterwards it devolved on Lord Sydenham

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to nominate the first members of the corporations of Quebec and Montreal, it having been found impossible, in the absence of any assessment roll, to provide the necessary arrangements for their election. This, then, was an occasion on which, if he had been truly described, his hostility to the French would have shown itself. Yet what was the case? In the Quebec Corporation, the mayor, two out of six aldermen, and six out of twelve councilmen, were selected from the population of French origin; while at Montreal he took from the same race three out of the six aldermen, and four out of the twelve councilmen. Had M. Lafontaine not refused to allow himself to be appointed, the proportion of French in the Montreal Corporation would have been larger.* Even the most violent of the French journals were forced on this occasion to allow that the fittest men had been named, and that, had the matter depended on a popular election, the choice would scarcely have been different; and to this fact the most conclusive testimony has been since borne by the re-election of all but one of those of Lord Sydenham's nominees in Montreal, who thought fit to become candidates for a second term of service.

The next measure which Lord Sydenham brought forward, exclusively relating to French interests,

* It had been generally supposed that the French population of Montreal far exceeded the English; but the census which has recently (1843) been completed shows the reverse to be the fact; the French population numbering only 17,000, the English 23,000.

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was the St. Sulpice Ordinance, of which the object has been already explained. A considerable portion of the English party of Lower Canada was opposed to this measure; and there was good reason to expect, as turned out to be the case, that it might meet with opposition in the Imperial Parliament. Considering how long its settlement had been allowed to stand over, and the multiplicity of business which Lord Sydenham had on his hands, he might well have found an excuse for leaving the question still unsettled, had he been, as was said, hostile or even indifferent to the claims of the French population. But he felt that to do so would be unjust; that the accommodation to which the Seminary had previously consented was not more than they were equitably entitled to receive; and that the present was the only certain opportunity of procuring it for them. He accordingly resolved, in spite of the labour and odium thereby entailed on him, to carry through the Ordinance.

During his last Parliament, as has been already stated, he again made a tender of reconciliation to the French—not under compulsion, for by that time his supporters had triumphed in the Assembly, and the principal measures of the Session were secure—but from a sincere desire to obliterate the injurious distinctions of race, and to unite all parties in support of the Government. It is, perhaps, not surprising, that the French Members should at this period have held aloof; that, knowing how shortly his administration must, under any circumstances, be brought to a close, they should have been unwilling to incur the charge of inconsistency, which would have followed any change of sentiment towards him. But this does not detract from the merit of his constant endeavours to promote their real interests in spite of their opposition. He felt, indeed, as all have felt who have attended to the affairs of Canada,—and as no one has shown more convincingly than Lord Durham,—that it would be impossible, and even if possible most unwise, to interfere with the tendency to Anglification which is the necessary consequence of the Union. He felt that to perpetuate institutions which must create an insurmountable barrier between two sections of a people was a political absurdity; and that the sooner the party which would eventually have to give way became alive to their position, the better for the permanent interests of all. He would, therefore, encourage no hopes that this essential principle of the Union Bill would be modified; but in reviewing the course which he pursued in respect to the French, from the first moment of his arrival in Canada to his death, no unprejudiced person can believe that he was actuated by any other feeling than an anxious desire to consult their welfare and just rights, so far as his duty to the other inhabitants of the Province and the empire at large would permit.

In truth, the anxiety which Lord Sydenham felt for the prosperity of Canada was too sincere and absorbing to allow him wantonly to disregard the

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1841. feelings of any considerable portion of its inhabitants. During the two years of his administration every energy of his strong and eminently practical mind was engrossed in the single task of advancing its interests; and while the extracts of his private letters, which have been given in the previous pages, show the intensity of this feeling, its constancy even unto death is proved by the terms of the Speech* which, on his death-bed, he dictated for the close of the Session, and by the directions which in the intervals of pain he continued to give, within the last twelve hours of his life, relating to public affairs. Canada, it has been truly said, was on his heart: he died as he had lived—its friend. His name has passed from among us—he has left none to wear his hardly-earned honours; yet, so long as Canada shall continue a part of the British dominions, his memory must be associated with her destinies—an example to future governors to guide and encourage them in their difficulties—to show how the energy of one man may diffuse itself through a whole society, and how a straightforward uncompromising firmness may confound the inveterate opposition of its adversaries, and insure the sincere and generous attachment of its friends.

His career is still too recent for the world to do it justice; party and personal feelings have not had time to subside. Nevertheless even already, among those who were opposed to him in life, a

* Vide Appendix.

truer appreciation of his merits, and a more enlarged interpretation of his policy, have begun to show themselves; and we may rest assured that this feeling will daily extend. His will be the fate of other noble spirits who have been engaged in the active struggles of political life: envy or hatred may distort and misrepresent their conduct, while their course is yet unfinished; but the calmer and more disinterested tribunal of public opinion will do them justice, when their removal from the scene shall have left men's minds unbiassed.

"Virtutem incolumem odimus,
Sublatam ex oculis quærimus, invidi."

Lord Sydenham died at the age of forty-two; an age at which the public career of many statesmen is only commencing, of few is more than half accomplished. Had his life been prolonged, and a stronger constitution permitted him to continue to devote his talents and experience to public business, few living men, perhaps, would at this time have commanded a larger share of the confidence of the community, or possessed, whether in or out of office, a greater influence over the course of affairs by which the national welfare is determined.

No man, we often hear, is long missed. His place is quickly filled, and the world goes on as before, or as it would have done had he not left it.

In the case of Lord Sydenham, he had, in fact, for the two years previous to his decease, been withdrawn from the immediate focus of British politics; and though the report of his brilliant administration in Canada excited much warm admiration among his friends in this country, and extorted praise and respect even from his political opponents, still a public man who is lost sight of for two whole years in the centre of the political arena runs much chance of being forgotten altogether.

Had he, however, been permitted to return from Canada, Lord Sydenham's own energies and persevering anxiety to forward the march of improvement must, under any circumstances, have secured to him a high position in public estimation. And the tendency of events, since the period of his quitting England, has been precisely of a nature to render his peculiar qualifications of more than ordinary value and importance in the conduct of public affairs. From the epoch of the decease of Mr. Huskisson he had been generally looked up to as the leading advocate of the doctrine currently known as that of *Free Trade*, — of the important, and till of late disputed principle, that the industry of a country thrives best when left to its own devices, uninterfered with by legislative and fiscal shackles imposed for the pretended object of encouraging and protecting it. He had gone further than Mr. Huskisson himself had ever ventured in laying down this great principle, and in recommending it for adoption as a state maxim.* He had never wavered for an instant in the expression of his opinion in its favour, nor in a fearless determination to act up to it so far as a just regard to circumstances would permit; and he had, in fact, vigorously and indefatigably striven to carry it out into practice during nine years of official power. He endured, without flinching, the savage storm of ridicule, calumny, and misrepresentation, which from the countless organs of the various monopolies was daily, weekly, and monthly poured forth upon him, as previously upon Huskisson, for daring to make war against their darling system of (mis-

* Lord Sydenham's opinion had always been strongly expressed on the question of what is often called "the Reciprocity System," and which has been of late frequently debated. Conceding the advantage of securing favourable terms of admission into foreign countries for the products of our industry by commercial treaties, if to be obtained by negotiation,—and no one, as we have shown, laboured more assiduously or successfully than himself to obtain such,— he yet always contended that the chance of obtaining such advantage might be too dearly purchased; that it was a suicidal policy to maintain high import duties for a permanence because other countries were so foolish as to do so too; that, in fact, our best and safest policy is to set an example of moderate duties to all other countries, which they will be compelled to follow, or, if not, that they will be the sufferers, not we; that to whatever extent we buy of the foreigner we must from the nature of things sell to him an equivalent; in short, that our chief care should be not to impede our import trade, leaving our exports to take care of themselves, as they cannot fail to do. This argument has never been more lucidly advanced than in Lord Sydenham's Speech on the Silk Trade in 1829 (see pp. 27—33.), and in that to his Manchester Constituency of 1832 (p. 62.).

called) protection; and this at a time when those who now claim the credit of having always supported the principle of commercial freedom either opposed him, or at the best stood coldly and silently aloof, and left him to bear the full weight of the odium then attaching to its advocacy. And *now* events which his sagacity long since foresaw and predicted as inevitable had brought about a crisis in the commercial and economical history of the country, in which the full application of this principle could brook no longer delay, if the nation were to retain its pre-eminence in wealth and power, and be preserved from impending ruin — a crisis in which the leaders of the very party that had for years past thwarted and calumniated the efforts both of Mr. Huskisson and Lord Sydenham to liberate trade from the restrictions of the "protective" system, were forced themselves to come forward and admit the soundness of the doctrine they had so long allowed their followers to revile unchecked, and the necessity of far more largely acting upon it than they had permitted their political opponents when in power even to propose with any chance of success.

As this crisis approached, and before Lord Sydenham's death, many who saw with dread the blackening of the horizon, and heard the threatenings of the coming storm, looked with anxiety for the expected return of one whose experience and judgment was, in their opinion, well fitted to cope with its emergencies, and exert, even out of office,

a salutary influence in the national councils on its occurrence. And their regret was proportionately severe when this hope was destroyed by his premature and melancholy dissolution.

Nor, whatever sincere respect we may entertain for the abilities of those who now hold the foremost rank in that noble contest into which he, with them, would have so warmly entered as into his natural element, had his life been spared, can it be gainsayed that no one individual among his survivors unites so many of the peculiar qualifications which he possessed for successful service in this particular cause. His comprehensive and liberal views of commercial policy were founded not upon book-learned theory, caught up from the suggestions of pamphleteering economists, but upon extensive practical acquaintance with commerce, and an experience gained in the superintendence through many years of the whole range of the commercial interests of this mighty empire: with this, an intimate acquaintance with finance — habits of order and business — indefatigable application — the confidence of practical men built upon a long intercourse — and, moreover, the tact, judgment, and prudence taught to a mind of great natural sagacity by a long and intimate acquaintance with parliamentary tactics and ministerial responsibility.

Possessing these acknowledged qualifications, had Lord Sydenham returned to this country with the additional reputation acquired by his brilliantly successful administration of Canadian affairs, where,

being isolated from all others, his individual abilities had been brought out the more conspicuously, it cannot be questioned that he would have commanded a high position in public opinion, and must have taken a very prominent and valuable share in the discussions that have been, and are yet going on, upon the absorbing questions of the day relative to commercial legislation.

These speculations are perhaps useless at present; but not so, it may be hoped, this attempt to record and present to the public a review of the acts and opinions of one who did so much, while living, to advance the prosperity of the country by giving freedom to its industry, and whose authority may yet have some influence in guiding the current of public opinion, now setting so strongly, and, as it would appear, irresistibly, in the direction which for so many years he laboured to give to it.

Nor, it is hoped, will the portion of this memoir which relates to his Canadian administration be devoid of a similar value. It may serve to teach a lesson of great practical value with respect to the treatment of Colonial dependencies. The time is gone by when the important task of representing in them the sovereign authority can be safely entrusted to unskilful or inexperienced hands. The peace of the empire, the progress and future destinies of great nations, can no longer be jeopardized in this manner. It requires a mind of no ordinary vigour and capacity to encounter successfully the ever-varying difficulties of such an office — above

all, where the Colony possesses an independent legislature, and perhaps no lengthened experience in the exercise of such an institution. By executive mismanagement a colony may be very easily ruined and lost, or the parent state weakened and distressed by its forcible retention. A mere glance at the history of Canada during the last few years, will amply demonstrate to the most casual observer that such a colony is only to be preserved and rendered a real source of strength, power, and wealth to the mother country, through the rapid development of their common resources by a cordial union, when the sovereign power within it is delegated to some statesman who, like Lord Sydenham, can temper conciliation with firmness, mildness with decision,—who, without trenching on the freedom of representative institutions, knows how to maintain the supremacy of the imperial authority, and whose personal influence, prudent skill, and practical knowledge of mankind may enable him so to work upon the discordant materials he has to deal with, as to obviate those shocks and collisions to which new and popular institutions are ever liable, and which at a distance from the central supreme authority are more than ordinarily hazardous.

Such a governor as Lord Sydenham is, indeed, not to be always obtained. Perhaps one so happily fitted for the task will never be again seen. But he has afforded a high standard towards which to approximate in our estimate of the qualifications required for such an office.

Canada has, certainly, no less reason than this country to deplore his loss; since, even though absent from her, he might have been relied on to watch over her destinies, with which so much of his own future fame is embarked, and advocate her cause on every opportunity in the Imperial Councils. But it may be reasonably hoped that the great institutions and large schemes of public economy which were founded by him, will survive the embarrassments that mismanagement or party dissensions may for a time occasion; and that this Province, of which the natural resources are so vast, may long continue incorporated with the glorious Empire of Britain, growing in wealth, power, and prosperity into the mighty and ultimately independent nation which it is, no doubt, destined hereafter to become. For this prospect both countries will, it is confidently anticipated, ever consider themselves in a large degree indebted to the wise resolves and vigorous action of Lord Sydenham's administration of the affairs of Canada in the years 1839, 1840, and 1841.

The public character of Lord Sydenham has been anticipated in the narrative of his public career. Little remains to be said but what would be mere repetition. His mind was of a class peculiarly fitted to deal with the necessities of the bustling and practical period in which he lived, and that was the secret of his early and rapid success in the arena of politics. His was not, however, a parliamentary reputation of the usual

stamp, acquired by oratorical display, or gladiatorial powers of debate. He seldom attempted any flights of eloquence, though in some of his earlier speeches there are passages which cannot be read, and certainly were not heard, without creating strong emotion. His voice, however, in speaking was not well modulated, and this is well known to be essential to successful oratory. The subjects to which he exclusively confined himself in addressing the House of Commons were, moreover, necessarily dry and unentertaining, full of details of facts and figures, usually of the most uninteresting character to such an assembly as the House of Commons. On the exciting party questions of the day he rarely opened his mouth; and hence his services to his party were liable to be undervalued by those who look rather to the debates in the House, than to the principles on which the government is carried on, or the mode in which it conducts the affairs of the country. In fact he ever disliked and avoided speaking, unless when the commercial or financial interests of the country, to which he devoted himself, required the exposure of some abuse, or the suggestion of some legislative improvement, or when the business of his office rendered defence or explanation necessary.

His fame must rest, as has been noticed in an earlier part of this memoir, not so much on what he did or said in Parliament, as on what he did and proposed to do out of it, — on his consistent, and to a great degree successful efforts, to expose

the fallacy of the miscalled "Protective System," and gradually but effectively to root it out of the statute-book, and thereby to free the universal industry of Britain from the mischievous shackles imposed, and yet partially maintained, by an ignorant and mistaken selfishness — to allow the development of its inherent energies, unincumbered by the officious patronage of the legislature — to permit it to make (as under such circumstances it is sure to do) that vigorous, rapid, and healthy progress, which must secure to all engaged in it a continually increasing remuneration, and to the nation at large a corresponding increase of her power, her strength, and her prosperity.

His Canadian administration may be looked on as a brief though brilliant episode in his public life, which, while it confirmed the high opinion ever entertained of him by his friends, convinced those who had under-estimated his powers before of their extent and variety — convinced every one that in all the great qualifications of intellect, temper, habits, and acquired information that constitute a statesman, few have been so rarely gifted as the lamented subject of this memoir.

In private life Lord Sydenham was universally loved and esteemed. His amiable disposition and pleasing manner excited the warmest attachment among those who were admitted to his intimacy, and in every circumstance that affected their happiness he always appeared to feel the liveliest personal interest. In the midst of his unceasing occupations

he never failed to find time for any work of kindness or charity that offered itself, and even for the attentions required by the forms of society.* His assistance was always promptly and eagerly afforded, whenever he could oblige a friend or confer a favour on a meritorious object. His integrity and sense of honour were of the loftiest character, and his disinterestedness carried to an excess. The remuneration, indeed, for his arduous public services in office, with which he was contented, was far inferior to that of any other official of equal station, and much below (be it said in passing) what a just and wise appreciation of the importance of the post would assign to it. But never having married, his wants were moderate, and his private fortune more than compensated the exiguity of his official salary. That he remained single may perhaps be partly attributed to an early disappointment; but chiefly to his incessant occupations and failing health. The friendships he formed with individuals of either sex were both strong and lasting. Indeed few men were more fitted by nature to captivate and enchain affection. His person and countenance were singularly prepossessing: his manner full of charm and refinement, and his address frank, manly, and courteous: his dispo-

* In a letter to an idle friend who had been remiss in correspondence, he says, tersely and truly, "You have *no time* of course — *no one who has nothing to do ever has.*"

sition obliging; his regard to the feelings of others exquisite. His mind was amply stored with varied information, acquired from books, from frequent foreign travel, from an acquaintance with the leading characters of the day, and a special intimacy with the subjects of paramount interest in these bustling times. His remarkable aptitude for foreign languages made his conversation as pleasing and his society as much sought after by foreigners as by his countrymen. Few men were more generally popular in the circle in which he moved, and this was ever the highest and most intellectual of whatever place he inhabited. He was a sincere Christian, and the account given of his last hours by the reverend gentleman who fulfilled the last painful duties towards him, as his chaplain, is at once affecting and consolatory to his intimate friends and connections, among whom his loss created a void which can never be supplied.

It is not, however, in his private capacity, but rather as a public benefactor, that it has been the object of this Memoir to record him, and it may safely be concluded by the expression of an opinion, that the annals of no country can produce an instance of one, who, in a spirit of truer patriotism, during the brief period permitted to his earthly career, more nobly, ardently, devotedly pursued, in defiance of ridicule, obloquy, and the most odious misrepresentation, through good repute and through bad, and at the sacrifice of his own ease, health,

and even life itself, the one great object which was ever uppermost in his thoughts to the last moment of his existence, — namely, the increase of the happiness of his fellow-creatures, by all such means as are within the reach of those gifted statesmen who wield the supreme power of Imperial Britain.

None knew better than he the amount of that power, — the influence which Great Britain, at the head of the advancing energies of the civilised world, exercises over the destinies of mankind. And the task which he laid down for himself, on arriving at manhood, and assiduously laboured through the remainder of his life to accomplish, was, in truth, the highest, the noblest, the most godlike, which it is given to man upon earth to undertake. Time and power were not afforded him to give full effect to his exertions, or bring them to maturity. Nevertheless, those who hereafter review the events of the age he lived in will, it is believed, see reason to assign to their impulse no inconsiderable share of the beneficial progress which is now generally making towards a right understanding and a practical exemplification in this country, followed as she is sure to be at a distance by other states, of the great problem how human institutions can best secure, and least interfere with, the spontaneous development of man's ingenuity and industry in the production and just distribution of all the material comforts and enjoy-

ments of existence, which a gracious Providence has abundantly placed within his reach.

This, and the impress of his influence on the future history of our North American Colonies, will form Lord Sydenham's most enduring and appropriate monument.

APPENDIX.

APPENDIX I.

EXTRACTS FROM CORRESPONDENCE OF LORD SYDENHAM.

THE following passages from Lord Sydenham's private correspondence, whilst in Canada, relating to matters of general interest, not having found a place in the body of the Memoir, are here appended, under an impression of the value attaching to his opinions on such subjects.

As Governor-General of the entire North American Provinces, he had the responsibility of directing such measures as became necessary from time to time for checking the continual encroachments of the people of Maine within the disputed territory — encroachments which threatened the absolute invasion and dispossession of our early settlements on the Madawaska, and the occupation by the Americans of the entire country in dispute, pending the determination of the question of right between the two Governments. The following passages from letters written in 1840–1, evince Lord Sydenham's determination no longer to tolerate the continuance of these one-sided encroachments. The decisive steps taken by him of posting troops in the Madawaska settlement, probably more than anything else contributed to dispose the people of Maine to assent to a final arrangement of the question, by putting an end to their chance of gaining any further advance in the unauthorised mode in which they had hitherto been permitted to appropriate the territory.

In the late parliamentary discussions on the Boundary Question and Ashburton Treaty, blame has been cast on the Government of Lord Melbourne for permitting these

encroachments. It will be seen that there was no hesitation at head-quarters as to the course to be pursued in this matter, and that, if blame is due anywhere, it must rest with the inferior functionaries.

Toronto, 12th September, 1840.

"I am sorry to hear of a fresh dispute between Sir Colin Campbell and Sir John Harvey; but in this case the first seems to me to be clearly in the wrong. I told him most distinctly and emphatically that I would *not* permit a gun to be removed, or a soldier withdrawn (unless in substitution) from the American frontier, and he assured me that it should not be done. If his guns are in more danger now than they have been for the last eighteen months, he may send a force to protect them. Of that I am no judge; and the military authorities can best decide the question. But my instructions are, and I have told Sir Colin I should see them followed, that things should remain in *statu quo* upon the American border; and that I would not consent to a cartridge being taken away. I am the more resolved on this after the conduct of Sir John Harvey, in having permitted Colonel Parke quietly to take a census of the Queen's subjects in Madawaska, *instead of arresting him instantly, as he ought to have done.* The fact is we owe all that has happened in the disputed territory to his mismanagement. First, his "convention" with General Scott, in which he was completely outwitted by the New Englander; next the occupation of Fort Jarvis, which he ought never to have allowed; and, lastly, a series of encroachments crowned by this last proceeding at Madawaska, all of which would have been checked, if a company had gone there last winter *as I directed.*"

TO LORD PALMERSTON.

U. C. 5th September, 1840.

"I earnestly hope you will adopt my plan of having the territory kept pending the inquiry that must precede a

settlement, by regulars on both sides acting under commissioners. That will be our only security. In such a country (I wish you could see it), the Civil Posse, a fellow armed to the teeth, and who can put a rifle ball through the ace of hearts at one hundred paces, is a far more dangerous sentry than a United States' soldier — and he is under no control whatever. The officers of the regulars will do all they can to keep order and put down the predatory attempts of the civilians; and they pride themselves on keeping up a good understanding with our troops. I have had many instances of this good feeling lately along the frontier, especially in the west, where they go even so far as to refuse to receive our deserters. But some temporary arrangement must be come to this autumn, or Maine will 'go a-head' again in the spring. Think of the impudence of the people, or, as it is now said, of the central government, in sending to take a census of the Madawaska settlement. Harvey was weak enough only to protest, and my order to arrest Mr. Parke arrived too late of course."

Montreal, 24th November, 1840.

"The Maine people at the Fish River have recommenced their operations, and now pretend to exclusive jurisdiction up to the mouth of the Madawaska River, thus, in fact, cutting off our communication with New Brunswick, or, at least, commanding it. This is, of course, not to be tolerated, and I have ordered a sufficient force into the Madawaska settlement to support the civil power and protect the Queen's subjects, if the Fish River people proceed to carry their threats into effect. I consider this to be, under the circumstances, an indispensable measure of precaution, though I dare say it will be made much of at Washington, and complained of as one of aggression. I entertain little doubt myself that these fresh encroachments are the result of a fixed plan of policy, consisting in a determination to delay all settlement of this question,

and in the mean time to push forward point by point, a little at a time, hoping that each new move may be considered in itself too unimportant to lead us to go beyond a 'protest.' But be it weakness only or treachery on the part of the Government, it is quite clear to me that our only course is to resist any move, whatever it may be, and show by our acts, not merely by our words, that we will support such resistance. I am of opinion, likewise, that by adopting that course, the Central Government will be more likely to come at last to some arrangement leading to the final adjustment of the question, than if they found their advantage in its delay, as they have done now for three or four years.

"What will be the effect of the Presidential vote upon this question and others in the States? I shall be very glad to hear your opinion. Will there be a suspension of all great questions during the remainder of Van Buren's reign? That seems merely the necessary consequence of such a form of Government. Imagine a Ministry at home under a notice to quit that day six months!"

Government House, Montreal, 26th December, 1840.

"I now know my ground as well as my men pretty well, which I did not last year when I had just arrived We owe every thing that has happened to the course that has been pursued in the disputed territory. The object of the Americans is delay; and no wonder, for it has been wonderfully profitable to them. Four years ago they never pretended even to jurisdiction north of the Mars Hill; scarcely north of Houlton. Now they have got the whole valley of the Restook, all the southern bank of the St. John except our settlement, a fort at the Fish River, and claim and exercise jurisdiction over the Madawaska settlement, NORTH AND SOUTH BANKS, down to the Madawaska River! They have got away from us all the best territory, 10,000 square miles; they are filling it rapidly with settlers and lumberers. The warden,

M'Laughlin, who was here the other day, dare not show his face to the south of the river; and this is, after all, the only land that is good for any thing, all to the north being, as Professor Renwick truly said to me, not worth the expense of his own survey. This they have done by the "go-a-head" principle on their side, and the "protest" principle on ours. But it is really time that some check was put to this system, or I have no doubt that next year they will walk into Canada and establish themselves there likewise. I know of no means of doing this but at last drawing a line, and *showing, not telling*, them, that they cannot pass it. Then, and then only, will they stop; and finding that nothing is to be made by further delay, they will probably negociate at last upon reasonable terms. For this reason I shall now keep my troops at Madawaska, and persevere in my line of policy according to my instructions, unless the Government choose to take it out of my hands.

"I have written to Lord John to carry into effect the Duke of Wellington's plan of colonising the valley of the St. John's. I could throw five or six hundred families into it next year; but I want money for it, as the land that is left to us is bad, and the expense will be considerable. However, it is well worth doing, and I wish you to consider it."

The following strong opinions on the effect of the political institutions of the United States upon the national character may, perhaps, have been something coloured by the annoyance experienced, both before and during the administration of Lord Sydenham, along the entire frontier of our North American Provinces, from the aggressions of the lawless bordering population of the States — aggressions which for a long time kept a portion of the inhabitants and the Government of those provinces in a state approaching to hostility with large bodies of the people of the Union, whom their own Government appeared to have

no power to control. But, after making every allowance for the unavoidable influence of such feelings on Lord Sydenham's mind, the picture here presented by the hand of one who, throughout his life, proved himself an ardent advocate of the freest institutions which are compatible with civilised society, is painful to the contemplation of those who have hitherto witnessed, with deep interest, the great experiment of self-government now for half a century going on in North America: —

"As far as I can judge from hearsay and the observation which, as a neighbour, and having pretty important business to do with them, I can make, I should say that Marryatt is only *too lenient* to the Yankees in his second series. I do not mean in his criticisms upon their social habits. Spitting and chawing, eating with their knives or bolting their meals, or sleeping three in other people's beds, are all disagreeable in their way, but regard only themselves or any unfortunate traveller; but I mean in greater matters. Their government seems to me the worst of tyrannies — that of the mob, supported by the most odious and profligate corruption. No man who aims at power dare avow an opinion of his own. He must pander to the lowest prejudices of the people, and in their parties (the two great ones which now divide the Union, the Locofocoes and the Whigs), the only object of the leading men of either is to instil some wretchedly low sentiment into the people, and then *exploiter* it for their own advantage.

"There is scarcely a statesman of either who would not adopt the most violent or the basest doctrine to-morrow, if he thought that he could work it to advantage with the majority. If you remember the character of the newspaper editor in Cooper's novel of 'Homeward Bound,' you have the type of the whole people, high and low. It is the corruption of Walpole's House of Commons extended over a whole people. Peculation and jobbing, the only objects; delusion and the basest flattery of the people, the means. The joke is, that we in Europe are apt to

fancy that the Government is a cheap one, the patronage little, the means of corruption small, and the people careful of their own interests as opposed to the attempts of their rulers: this, all because we find the President getting only 5000*l.* a-year! The reverse of all this is the fact. I will venture to say that there is more jobbing and dirty work in *one* State of the Union, than in all Downing Street and Whitehall. Every place is the object of party contest, and they are innumerable in each little Government of each State. The *people* being the direct bestowers of all, if not immediately, at least indirectly, are adulated in the most disgusting and degrading way; and the trash from which an educated minister or boroughmonger in England would turn with disgust, is greedily swallowed by them. The result, of course, is general debasement. Those who aim at place and power are corrupt and corrupters. The masses who bestow them are ignorant, prejudiced, dishonest, and utterly immoral. You will naturally say, under such circumstances, how is it that they advance so rapidly and so steadily? It is the millions of acres of good land alone that does this. Exhaust the means by which all their unquiet spirits and ruined speculators now find a fresh field, and the bubble will burst at once. If they drive us into a war, which, however, I do not think likely, the *blacks* in the South will soon settle all that part of the Union; and in the North I feel sure that we can lick them to their heart's content.

"A Republic could answer in former times, in countries where there was *no people* or few — the bulk of the population helots and slaves; but where there is a people, and they really have the power, Government is only possible by pandering to their worst passions, which makes the country unbearable to a man of any education, and the central Government itself a bye-word amongst civilised nations. I hope that we may live long enough to see this great bubble burst; and I do not believe that we need be very long-lived for that."

On the occurrence of the outrage at Lockport, when the mob forcibly prevented the liberation of Macleod, on bail, he writes:—

24th February, 1841.

"Was there ever such a state of society in a country calling itself civilised? The judges of the land getting out of bed to render an account of their conduct on the bench to a committee chosen by the mob in the streets! and *not* an effort made by the civil power to maintain order. It quite justifies Madame Roland's last saying. Unless we settle this whole question now with the American Government, we shall have nothing but trouble all along the frontier, for the Yankees will take to arresting people as a good speculation. I trust therefore that Palmerston will insist on reparation being made, and on a distinct understanding being arrived at, that when the two governments negociate, the matter is to be settled by them, and not by the separate states, with whom we cannot deal."

"There never was such a trumpery affair as that *nigger* business at Chippewa. . . . . The complaint made by Stevenson is only a pretence to serve as an electioneering manœuvre, and leave an embarrassment the more for the party coming into power. The administration, press, and their public men are now using all their power to raise a cry against England. You will have seen of course that wonderful Report of the Committee of Foreign Affairs. This, however, will do us no harm, for every thing being 'party' in America, the more the Locofocos abuse us, the more will the Whigs, who govern after the 4th March, cling to us."

Montreal, 12th April, 1841.

"No man can say how the feelings of so mobile a people as the Americans may be upon any point six months from the time he speaks. But at present, I am satisfied that they have no desire for war with England. They are too calculating a people, and fight not for glory,

but plunder, which they know they cannot now get in Canada. You must not in the least heed their speeches or declarations in their popular assemblies. They are such a set of braggadocios, and there is such a submission on the part of their public men to the claims of their extravagant vanity and self-sufficiency, that their language is always in the superlative. But their acts will be very different. Mr. Pickens, in explaining that his Report was a peaceable one, blurted out the whole character and conduct of his countrymen, when he said that he did not mean war — all he wished was to frighten us by big words and Billingsgate.

"In two or three years I hope we shall have a good hold on the vastly increasing population of the Western States by their interest through the St. Lawrence; indeed we have some now. The eastern sea-board is certainly with us, and the south have their cotton interest as well as their slave-fears, so that I really anticipated no cause for alarm of war being rashly entered upon through the ambition or restlessness of the people, if we once put an end to these border-feuds, which have now endangered the peace, and will inevitably do so again unless brought to a close by a distinct arrangement between the respective governments that they will not permit it to be jeopardised by individual acts of violence and outrage."

On the subject of emigration, Lord Sydenham wrote thus:—

"I consider any scheme for paying the expense of the passage of emigrants by the sale of land, utterly inapplicable to these colonies.

"This expense, therefore, must be borne either by the individual emigrants themselves, or by companies interested in the settlement of their lands here, or by the proprietors in England or Ireland who combine for the purpose of sending them out. Neither is it in my opinion just or expedient that mere paupers should be transported,

to be landed under the rock of Quebec, without means to transport themselves to where labour is in demand, and utterly unfit, both from want of capital and of the necessary knowledge of the mode of clearing heavy-timbered land, to become settlers. To be of service to the colony, and to succeed themselves, emigrants should consist of two classes — either of hardy, well-disposed labouring men, with or without their families, possessed of sufficient means either of their own, or provided by others, to enable them to reach the interior of the province, and subsist themselves tolerably until work can be obtained, that is, perhaps, for a few weeks, without claiming any pecuniary assistance here, or being exposed to the demoralisation and disease which are produced by loitering about the towns or sheds near them; or else of industrious families, possessed of moderate capital, and accustomed to farming pursuits, who can either purchase and clear a new settlement, or, what is far more advantageous to them, buy out the old settler, who is generally inclined to emigrate further into the forest, and who performs the work of pioneer at half the expense and labour which it would cost the others. Emigrants of either of these classes may come out with the greatest advantage to the province, and with a certainty of attaining, if well-conducted and industrious, a degree of independence and comfort for themselves and their descendants, which are quite beyond their reach at home.

"I am well aware that these opinions do not meet the view of those who are very sanguine of producing, by some not very well-defined means, what is called a great emigration; but they are the result of the best consideration I have been able to give on the spot, and after visiting nearly every part of these two provinces. Neither do I think that the great object of relieving Great Britain in those localities in which there is a redundant population, or that, still more important in my opinion, of introducing here a British population, will be unduly limited by acting

on them. It is not too much to expect, that when landed proprietors are desirous of rendering their property more valuable by clearing their estates, or parishes seek to relieve themselves from heavy charges, they should be called upon to defray all the expense of transporting these poor people, and providing them the means of maintaining themselves, which is all that we seek; and on the other hand, it is right that those who voluntarily emigrate with a view of settling, should clearly understand that it is useless to attempt to enter upon the bush without capital. But under these conditions, I am satisfied that the Canadas could take off with ease 50,000 or 60,000 persons annually for a very considerable time to come."

ON THE MISREPRESENTATION OF CANADIAN AFFAIRS IN ENGLAND.

18th April, 1841.

"I got yesterday a paper with a report of the Bishop of Exeter's speech on the St. Sulpice seminary ordinance. I wish I were strong enough to send you a despatch on one or two points. The greater part of his facts are pure inventions, and well might Lord Melbourne say that "he could not be instructed on some of them." It is impossible to guard beforehand against such efforts of imagination: his main charge against me is that I attended the deliberations of the council on this ordinance, which he says was unprecedented, unusual, and even reprobated by myself. By the by, he mis-quotes my despatch in order to prove this last position. But the others are equally untrue, and he ought to have known it, because the mode of conducting business in the council was perfectly well known to those whom he calls his informers. I *always* attended *all* the deliberations in council, on measures of any importance — a practice which was of the greatest use to the council, as well as to myself.

"But the Duke of Wellington seems to have out-heroded the bishop himself, for *his* charge is that 'this ordinance

was proposed by me, and not by any member of the special council.' Could not any noble Lord have referred his Grace to the Act of Parliament, in which he would have found that nothing of any description could be considered by the council except it was proposed by me. That no councillor had power to originate any thing: and that whether the measure were great or small, it *must* equally emanate from the Governor.

"Pray thank Normanby for his speech from me, as I cannot write; but after all it is amusing that Nicolet, the point on which it seems the whole question turned with you, is really no precedent at all. However the noble Lords who did not know that the Roman Catholic religion was an established religion in Canada, may well be excused for not understanding the difference between a lay and ecclesiastical corporation."

On the question (which appears to have been lately re-opened) relative to the choice of the seat of Government for the United Province of Canada, Lord Sydenham writes on the 9th April, 1840: —

"I shall certainly make the seat of Government in the Upper Province. Toronto is too far, and out of the way. But Kingston or By-town would do. The people, the soil, the climate of the Lower Province are all below par. All are excellent above. Marryatt has not said a word too much of Upper Canada. It is the garden of the whole North American continent, and is in fact the source of all the wealth and trade of the Canadas. The Lower Province, except the eastern townships, is nothing but a fringe some seven or eight miles deep along the St. Lawrence, with two cities, Montreal and Quebec, which, being the shipping ports for the whole of Upper Canada, have become wealthy and populous. But the source of *their* prosperity even is all in the Upper Province. The wheat, the timber, the cattle, all come from them. Lower Canada will not even now support itself with bread. The soil is

either exhausted, owing to the ignorant system of agriculture pursued by the French Canadians, or the cultivation of wheat altogether put a stop to by *a fly*, which for the last eight years has destroyed all the crops, and caused its culture to be abandoned. The townships are different; but there they are a grazing country, and want water communication for other produce. A rail-road may eventually open them up, perhaps. All our efforts ought therefore to be directed to Upper Canada, and I shall turn mine all that way as soon as the Union is through. There is some pleasure in working with and for an intelligent and enterprising set of men; none at all in dealing with fellows who only think of cutting each other's throats."

And at a later date, viz. 11th July, 1841, he writes:—

"I have every reason to be satisfied with having selected this place (Kingston) as the new capital. There is no situation in the province so well adapted for the seat of Government, from its central position; and certainly we are as near England as we should be any where else in the whole of Canada. My last letters reached me in fifteen days, from London! So much for steam and railways."

ON THE ST. JOHN'S RIVER, AS A BOUNDARY.

Montreal, December 28th, 1840.

"I wish you would give me the means of settling a few hundred emigrants next summer, along the St. John's River. I will have the line surveyed by the ordnance in the spring, and allotments made directly after, and I could get plenty of good people for the purpose. But the good land is, melancholy to state, all to the south of the river, and, therefore, settlement will be expensive. However, a line of road with good defences might be marked out, and these parties established to make it, and settle upon it. Pray think of this, and give me some authority if you can. It would be money well laid out."

TO SIR GEORGE ARTHUR.

16th August, 1840.

"If practical benefits are felt by the Upper Canadians, they ought to be in good humour, since I have got them their letters delivered for a halfpenny, instead of from four to eight shillings, and their tea cheap from the United States. But, I suppose, as generally happens, they will care little for these boons when they have got them."

THE RED INDIANS.

Montreal, 23d April, 1840.

"Catlin is probably correct enough in his description of the Indians in their prairie, or forest life. But I wish he had exhibited them in their demi-civilised state, in which I have the honour to be 'their Great Father,' as you probably have seen in the newspapers. They are ten times worse than when wholly savage. It has been a great mistake to attempt to settle or christianise them. Whether baptism alone will save their souls and send them to Paradise instead of their own traditional hunting grounds, I cannot determine, but certainly their works will not. They have acquired the most disgusting vices of civilised life, and none of its refinements or advantages. They should be amalgamated with white men, and not separated, if they are not to remain in their wild state. I have a village of them eight miles from here, a perfect pest, and the most debauched, idle, and quarrelsome set of men and women in the country. The attempt has failed every where."

STEAM NAVIGATION OF THE LAKES.

"As the admiralty did not choose to try the Archimedean screw here, I have built a boat myself on the Ericson's propeller principle, which I am expecting from Montreal daily. I am told that it works admirably. I have called her the 'Union,' and as soon as she arrives I shall despatch her into Lake Erie, in order that she may, if it answers,

solve the problem of a steam-boat really going from Quebec to Michigan.

"I very much like your idea of sending the materials of iron steam-boats from home in packages, which may travel up the canals, as they now do to India. In case of a war we might launch a fleet of such upon any of the lakes in an incredibly short time."

The following passages show the lively interest which Lord Sydenham took in the exciting state of our Foreign Relations, consequent on the signature of the celebrated treaty of July, 1840, and his cordial agreement in the decisive policy pursued by Lord Palmerston on that critical occasion: —

12th September, 1840.

"They seem rather disturbed in England by the aspect of French affairs; but I am convinced it is all bluster, which will only make the people there ridiculous, and end in smoke; but not that of gunpowder. I highly approve of the Quadruple Treaty. The whole diplomacy of France has been one continued series of trick, intrigue, and encroachment for the last three years, and it was quite time to let Louis Philippe know that we would unite with Austria and Russia, without his concurrence, if he chose to be unreasonable and treacherous. I was most anxious for this before I left England; but Palmerston was hampered with his Spaniards. That affair, however, being settled, he has done it, and wisely too."

5th October, 1840.

"Are you going to war with Louis Philippe? Really all this bluster looks a little like it. But, in spite of their anger and their boasting, I am delighted that the Quadruple Treaty draws us off from the French, who have been intriguing against us for the last three years in every quarter of the globe. The Austrian and Russian alliances have long been desiderata with me, though I scarcely

hoped that Palmerston would carry them into effect. I give him the greatest credit now for having done it. His course has been prudent at first, and vigorous at last, both in arguments and in acts."

24th December, 1840.

"I congratulate you sincerely upon the result in Syria. You know my opinion on the treaty and the policy; and, therefore, you will understand how truly I rejoice at the brilliant way in which effect has been given to it. I could not guess how Thiers was to excuse himself; but I really could never have believed that he would not have made a better defence. I have the most sincere pleasure in crowing over the anti-July-treaty people hereabouts, who predicted all sorts of mischief. Even the high Tories are compelled to confess that England never stood higher in the scale of nations, either for the power she has displayed, or the justice and moderation with which she has used it."

26th January, 1841.

"You are certainly most wonderfully successful in your foreign undertakings. I suppose Pekin will have fallen long before this, and the St. George will have assumed his proper place over the Dragon with six claws. Shall we found a new dynasty *vice* the Tartars? But what is the use of all this glory if your *seats* slip from under you? What an animal John Bull is! gorged with glory in all parts of the earth, and yet ready to turn upon the authors of it! I am afraid that the possession of power is making me terribly inclined to despotism; for I am thinking of planting my cabbages rather under the shadow of Metternich or the Czar, than in the midst of Chartists or Sans Culottes."

APPENDIX II.

NOTICES OF THE DEATH OF THE LATE LORD SYDENHAM BY THE PRESS OF BRITISH NORTH AMERICA.

[The publication from which the following extracts are taken was printed at Toronto shortly after the decease of Lord Sydenham, at the press of the Examiner Office. The notices were collected by Mr. Hincks, at that time Editor of the Toronto Examiner, but now Inspector-General of Public Accounts for the Province of Canada, and a Member of the Executive Council.]

(*From the Official Gazette.*)

Kingston, Monday, September 20. 1841.

PROVINCE OF CANADA.

Sunday, 19th September.

It has pleased Almighty God to call to His Mercy his Excellency the Right Hon. Charles Baron Sydenham, of Sydenham in the county of Kent, and of Toronto in Canada, one of Her Majesty's Most Honourable Privy Council, Governor General of British North America, and Captain General and Governor in Chief of Canada, Nova Scotia, and New Brunswick, and of the Island of Prince Edward, &c. &c. &c.

His Excellency expired this morning at 5 minutes past 7 o'clock, at the Government House in this town, after an illness of fifteen days.

Our readers will perceive by the following communication that the mortal remains of his Excellency Lord Sydenham are to be consigned to the tomb on Friday next. We understand that the chancel of St. George's Church is selected as the place of interment.

Hall of the Common Council, Kingston,
September 21. 1841.

The following official communication, addressed to his Worship the Mayor, was laid before the Council: —

Government House, Kingston,
20th Sept. 1841.

Sir, — I have the honour to inform you that it is intended that the funeral of his Excellency the Governor General should take place on Friday next. The procession will leave Government House at 11 o'clock A. M. precisely.

I have the honour to be, Sir,
Your most obedient servant,
T. W. C. Murdoch.

His Worship the Mayor.

Whereupon the Common Council passed the following resolution: —

"That Friday next, the 24th instant, being the day appointed for the funeral of his Excellency the Governor General, the Common Council do recommend to all the inhabitants of the town to observe that day as a day of mourning, with every suitable solemnity, and that all shops and places of business be closed, and all trading and mechanical operations cease during the day.

"J. Counter, Mayor."

(*From the Kingston Chronicle.*)

SECOND EDITION.

We stop the press to insert the following interesting communications which have just been handed to us by the Hon. the Speaker of the Legislative Council: —

Kingston, 21st Sept. 1841.

My dear Sir, — It will, I am sure, be satisfactory to yourself and the other members of the Legislature to be made acquainted with the terms of the speech which had been prepared by the late Governor-General, to be delivered on the prorogation of the Legislature, but which his lamented illness prevented. It was the last public document dictated by him, and breathes throughout those sentiments of attachment to this country, and of anxiety for its advancement, which he ever felt and expressed. The last few words — the concluding prayer for the happiness of Canada — were dictated on Friday morning, at a time when the hand of death was upon him.

As this document is of a public nature, you are of course at liberty to communicate it to the other members of the Legislative Council, or to the public, in any way you think most proper.

I have the honour to be,
My dear Sir, faithfully yours,
T. W. C. Murdoch.

The Speaker of the Legislative Council, &c. &c.

(Copy.)

Honourable Gentlemen of the Legislative Council and Gentlemen of the House of Assembly,

In relieving you from further attendance in Parliament, it affords me the highest gratification to be able to congratulate you on the important results of your labours during the present session.

Called together under a new constitution, and representing interests so various and extended, it was impossible but that difficulties should arise on your first meeting; but those difficulties have been overcome by your prudence, while the new measures which you have perfected, and the improvements which you have introduced into the existing law will remain as a memorial of your industry and zeal. I have also to thank you for the attention that you have paid to all those measures which were submitted to you by my direction.

To some of the Bills which you have passed I have had particular pleasure in assenting, feeling as I do that they will confer the most important and permanent benefits on the people of this province. The Bill for the establishment of district councils, while it assimilates the system in this section of the province to that which I had previously established in Eastern Canada through the Special Council, affords to the people the most ample security for the proper management of their local affairs, and presents at the same time the best means of instructing them in the advantages and responsibilities of a representative form of government. The Bill for the promotion of education is a measure of great value. It has ever been the anxious desire of the Queen to extend to all classes of her Majesty's subjects the blessings of education; and having received her Majesty's commands to bring this question under your consideration, I shall have peculiar satisfaction in reporting to the Queen the assent I have been enabled to give to a legislative enactment upon the subject. The Bills for the establishment of a board of works and for carrying on public improvements are of vital interest to the commercial prosperity of this country, and I consider that the system established by those measures will constitute a new era in the trade and agriculture of the province.

Gentlemen of the House of Assembly,

I thank you in the name of her Majesty for the readiness with which you have voted the supplies for the current year, and for the large and, I trust, ample provision which you have made to support the credit of the province, and to provide by an increased revenue for the augmented charge which will be caused by the works which you have sanctioned. In the exercise of the powers with which you have invested me for the raising of funds, and for their application when raised, it will be my earnest endeavour so to shape my proceedings as to insure to the province the greatest possible advantage.

Honourable Gentlemen and Gentlemen,

Having received her Majesty's gracious permission to return to England for the recovery of my health, it is probable I may not again have an opportunity of meeting you in parliament.

I take this occasion, therefore, to express to you my sincere gratitude for the confidence you have shown me, and for the support which I have throughout received from you. While I cannot look back on the two last years without feelings of the deepest emotion, my anticipations for the future are full of hope and confidence. In the manner in which the present session has been conducted, and in the results which it has produced, I feel the fullest assurance that the anxiety of the Queen and the Imperial Parliament for the welfare of Canada will not be disappointed, — that the constitution which they have bestowed on this country will be productive of peace, of happiness, and prosperity. To me it must ever be a source of the highest gratification, that in the accomplishment of these great measures I have been permitted to bear a part. It now remains for you to carry out in your homes the good work you have so well begun; to obliterate past dissensions; to co-operate in giving effect to

the new institutions; and to inculcate that spirit of enterprise and contentment which is essential to the well being of a community.

May Almighty God prosper your labours, and pour down upon this province all those blessings which in my heart I am desirous that it should enjoy!

(*From the Montreal Gazette.*)

It is with deep sorrow that we perform the painful duty of announcing the demise of His Excellency the Right Honourable Charles Poulett Thomson, Baron Sydenham and Toronto, Governor General of all Her Majesty's Provinces on the Continent of North America. This melancholy event took place at Alwington House, near Kingston, on Sunday morning, at seven o'clock, to the general regret of all her Majesty's subjects in the province, and, we much fear, to the no small detriment of the public affairs of the country, with every branch of which his Lordship was intimately conversant, and which he uniformly conducted with a vigour of mind and decision of purpose, which will ever reflect lustre on his public character as her Majesty's representative in these provinces.

His Lordship's last illness was severe, though of but short duration. On the 4th instant, while riding, for exercise, in the neighbourhood of Kingston, his horse stumbled and fell with him, by which his right leg was fractured near the ancle, and also received a severe contusion above the knee. The accident was unfortunate in every respect, and still more so in its fatal consequences; but it was not of a character to excite alarm, except in connection with its anticipated influence upon the painful malady of the gout, to which his Lordship was, we believe, subject from early life, to which he had been a martyr almost ever since his arrival in Canada, and from a severe attack of which he had scarcely recovered when the lamentable accident took place. The fears anticipated

were but too fatally realised. The gout returned, as we are informed, with redoubled violence; and a painful illness of a few days, which his Lordship bore with fortitude, put an end to his mortal existence.

His Lordship, as Mr. Thomson, succeeded Sir John Colborne, now Lord Seaton, in the immediate administration of this province, and arrived at Quebec on the 16th of October, 1839. On the 19th he assumed the reins of Government; and soon afterwards visited this city, and other parts of the country, holding sessions of the then existing legislatures of Upper and Lower Canada. On the 10th of August, 1840, her Majesty was pleased to raise the late Governor General to the peerage of the United Kingdom, by the titles to which we have already alluded, as a distinguished mark of approbation, no doubt, of the manner in which he conducted the important government entrusted to his care. On the 20th of May last, his Lordship, while still in delicate health, left this city for Kingston, for the purpose of opening the first session of the United Legislature of Canada, but which, from the alarming character his indisposition had assumed, he was only destined to close by deputation. It was intended that this ceremony should take place in his Excellency's apartment on Friday last; but his Lordship was unable to undergo the fatigue, and in accordance with the provisions of the Act of Union, a commission was issued, appointing Major General Clitherow to be Deputy Governor for the purposes therein mentioned; which, we believe, were confined to the giving the royal sanction to some of the bills passed during the session, reserving others for the signification of her Majesty's pleasure, and proroguing the Provincial Parliament.

This is not the time to speak at large of the true character and merits of the various public measures, which will long render the short but important administration of Lord Sydenham memorable in the history of this province. It will be sufficient merely to observe, that the whole of

them were directed to the great national and cardinal point of cultivating the resources of the province; of laying the foundation of free and liberal institutions, which, if administered in the spirit in which they were conceived, cannot fail to render it happy and prosperous; and of perpetually cementing its welfare and its interests with those of the mother country. Above all, the deep interest, the unquenchable zeal, the patriotic ardour, the firmness of purpose, and the undeviating resolution and perseverance which, at all times and on all occasions, were exhibited by his Lordship, in carrying into effect the grand healing measure of the reunion of the provinces, justly entitle his memory to the lasting gratitude and reverence of his countrymen both at home and abroad, and his tomb to be inscribed with the word "Union," as a beacon to direct a people, still somewhat divided, from the shoals and quicksands of jealousy and dissension.

In his official and private intercourse with the people of this province, Lord Sydenham was of easy access, of unaffected manners, affable in conversation; which, without the least show of undue assumption or arrogance, he always, and almost instantaneously, directed to the leading topic of business or discussion. As a practical man of business, it may safely be said that he had few equals. With these and other excellent qualities, which we stop not to discuss at the present moment, the death of Lord Sydenham will be sincerely and generally lamented in this province.

The administration of the government now devolves on his Excellency Sir Richard Jackson, Commander of the Forces in the province, until further instructions shall have been received from home.

(*From the Montreal Courier.*)

LORD SYDENHAM IS DEAD. — The energetic mind from whose labours Canada has received so much, and to

whose untiring genius and skill she yet looked to receive so much more, is stilled and powerless. The lips which dictated the wisest policy this country ever knew, are mute and motionless. The high intellect which could comprehend the most intricate questions, and unravel as by magic the entangled interests of the country, has ceased to exist; and all that belonged to the man has been swallowed up by death, leaving enough to cause us ever to regret that intentions so vast, designs so important, determinations so firm, talents so transcendant, should thus pass away, as it were in the face of their own glory.

We can scarcely bring ourselves to write the words that announce this event. It has come on us like a thunderclap. It is the saddest conclusion to a mighty triumph that the imagination can picture. Wolfe conquered and died — his was the victory of the soldier. Lord Sydenham has done no less — but his is a peaceful victory, and yet his fate is the same.

If there was ever a man who fell a martyr to his principles, that man was Charles Poulett Thomson. Canada has had the best of him — his last parting energies were exerted in her cause—his last breath yielded for her. It is not three months since that he told Colonel Prince he would "*die in harness and in carrying out those measures which he deemed essential to the salvation of this country.*"— Canada should remember this. It should be recorded on his tomb — on the monuments that we should raise to his memory, now that he has departed from amongst us.

It is now two years since Lord Sydenham arrived in Canada to carry out the plans which Lord Durham had done little more than suggest. Since the moment he set foot on our shores he devoted himself to the task with an energy which his weak state of health rendered it quite impossible he could sustain for a long period of time, and which latterly had reduced him to the last stage of weakness. Still he would not desist: and even had the state of political parties allowed him some time to unbend from the severe

duties of his office, it is possible that the man would have rejected the opportunity. None was less inclined to trust to others what he could do by himself than Lord Sydenham. He combined in himself all the qualities of the man of business and the statesman; and had his bodily vigour been as powerful as his mental, nothing could have withstood him.

Lord Sydenham's name is for ever connected with the fortunes of Canada. The Act of Union was in a great part his work, and the success which has hitherto attended its practical operations all his. The reward of nobility which his conduct drew from the sovereign could not have been better deserved. It was purchased with his life.

His Lordship has not been in one respect more fortunate than the meanest of his fellows; he could not escape slander. His enemies will now perhaps observe the motto —"*De mortuis nil nisi bonum;*" but their shafts could not touch him; and his policy, which will survive his body, offers the best defence to his memory.

(*From the Montreal Herald.*)

A special messenger, who left Kingston about nine o'clock on Sunday morning, the 19th, arrived in town yesterday afternoon about two, with the melancholy intelligence of the decease of his Excellency the Governor General.

This unexpected event has thrown a gloom over the whole community. Whatever shades of political or party feeling may have existed, and in all enlightened communities such will always exist, they appeared to merge into one full and only feeling of deep, heartfelt sorrow. Every one spoke and felt as if a personal benefactor had been removed from among them.

The decease of his Excellency we look upon as the greatest public calamity, whether we regard it as being, in the meantime, deprived of an energetic governor, or of an intelligent and powerful advocate afterwards in the

House of Lords. His administration, whatever may have been its faults, has been characterised by a comprehensive conception of the interests of Canada, and an untiring assiduity to promote them. The province will continue to advance from the impetus which it has received, when the head that foresaw and the hand that directed it are lying cold in the grave. If mistakes have been made, it will not be without advantage to party to reflect, when most disposed to violence, that all of us, those whom we praise and those whom we censure, are alike liable to the same errors, as we all are to the same accountability for our actions to Almighty God, our great and final judge.

(*From the Canada Times.*)

We regret to announce the tidings of the decease of Lord Sydenham, Governor-General of British North America, which event took place at Kingston on Sunday morning last, at seven o'clock.

The immediate cause of his death was inflammation, which terminated in lock-jaw. This ensued from the fracture of his leg, about a fortnight since, by a fall from his horse. His constitution was in a delicate condition, he having but a short time ago recovered from a severe attack of the gout. The return of this disease, since the unfortunate accident, could not be resisted by his enfeebled frame, and he gradually sunk under its effects.

We must candidly confess that language fails us when we approach the mournful subject of Lord Sydenham's death! So suddenly has the effect of the intelligence we yesterday received come upon us, that if a thunderbolt had fallen at our feet, we could not have been more completely astounded. Party feeling was, of course, thrown aside — forgotten! We thought only of the *man*, — yes, the NOBLEMAN, who but a few days since presided over the destinies of Canada.

We had looked forward to Lord Sydenham's administration as one which would not only have been the means

of ultimately softening down the asperities that have for a long time goaded the public of this province almost to desperation, but which would also have tended greatly to the advancement of the country in the moral, the political, and the intellectual scale.

(*From the Christian Guardian.*)

It is with the deepest sorrow we give publicity to the official announcement of the death of his Excellency the Governor General. A solemn and depressing gloom is over the province, and an inscrutable Providence arrests and disappoints our attention, and we involuntarily ask, Why is it? That such an event should take place at the present juncture of Canadian affairs, when, after deep anxiety and much deliberation, extensive plans have been devised, and only remain to be carried out—that such an event should take place when, at the close of the first session of the Parliament of United Canada, the entire community are looking forward with the liveliest expectations for days of unprecedented civil, commercial, and religious prosperity—that at the very moment when his Lordship is about to enter on a splendid career for the achievement of what his wisdom designs — we say at such an eventful and interesting moment to have our hopes prostrated, is to be resolved into the actings of a sovereignty which befits Him only who is "Lord of lords." How fugitive are sublunary anticipations, and how soon the brightest day may be overcast! Verily, O God, "thou turnest man to destruction; and sayest, Return, ye children of men. For we are consumed by thine anger, and by thy wrath are we troubled." Wise shall we be if in the present melancholy exigence we learn without forgetfulness the lesson of our mortality, and wiser still if we desire and prepare for "life and immortality."

The country has sustained an irreparable loss. As a gentleman, Lord Sydenham was distinguished for his urbanity and condescension of manner: easy of access, and politely attentive to the poorest person who might seek an

interview with him, he was beloved by all, and will long be remembered. As a statesman, he had a clear perception of the extent and bearings of a subject, and was ever comprehensive in his views, ample and correct in his plans, practical in his purposes, and in the prosecution of his measures evinced "the stern exaltedness of zeal." As a governor, his mind was expansive, taking in every object which claimed his consideration. The people whom he ruled were his care, and their concerns he disinterestedly made his own. Selfishness was incompatible with his elevated station, and was a sin unconnected with his administration. It becomes not us to state what there was to perplex and confound a common spirit when he assumed the functions of his dignified office; but gratitude forbids our shunning to declare, that at his death he left harmony where there was discord, and brilliant hopes where brooded black despair. His fame as the Governor General of British North America will be transmitted to the latest posterity; and if faithfulness to an important trust be the crowning virtue of a representative, royalty itself will deplore his loss. The Christian churches of the province are his debtors, and not the least so the Wesleyan Methodists, for the valuable services he rendered them. The youth of our country have been deprived of a father, and the lovers of civil and religious freedom of a conscientious and noble advocate. To say no more — the magnificent public improvements his Excellency projected, and was about to see accomplished, have rendered his illustrious name indelible in the hearts of a grateful, but now, alas! a bereaved people. Be this his highest eulogium:—Lord Sydenham died as he lived — THE FRIEND OF CANADA!

TO THE EDITOR OF THE CHRISTIAN GUARDIAN.

Kingston, Sept. 27. 1841.

MY DEAR SIR,—I left Toronto on Monday, the 20th instant, on board the Niagara steamer. A little west of Coburg we met the St. George steamer, from Kingston,

whose flag, half-mast high, told us that "a prince and a great man had fallen." Though the mournful intelligence was fully expected, this silent announcement agitated my whole frame, and prompted the involuntary exclamation, "For the sake of my country, would that I could have died for thee!" The countenance of almost every person in Kingston bore testimony to some public calamity. The assemblage at the funeral was immense; the solemnities of the melancholy occasion were appropriate and deeply affecting. You will receive accounts of them in Kingston papers. This is a mournful conclusion of the first session of the first Parliament of United Canada; and it is rendered still more affecting by the recent publication of the speech with which the late Governor General had intended to prorogue Parliament, characterised by the natural and simple elegance of his fine taste, the sentiments of which are noble and patriotic, and the conclusion of which breathes a suppliant effusion of the heart, which one cannot but wish the lips might have been permitted to utter.

Unlike the close of any session of the legislature which was ever held in either province of Canada, the termination of the late session will produce throughout Canada the opposite feelings of grateful joy and melancholy grief. The same post which conveys to the people of Canada the tidings of the harmonious and happy conclusion of a session unprecedented in the productiveness of comprehensive and valuable measures for the general improvement and social and intellectual elevation of the province, conveys to them the appalling announcement that death has terminated the earthly career of the noble mind which conceived those improvements and originated those institutions which will form a golden era in the annals of Canadian history, by laying the foundation of Canadian prosperity and greatness. While blessings are multiplied upon us, the agent of those blessings is removed from us; and our country is, at the same moment, thrilled with joy and consternation, and on the same day vocal with thanks-

givings and clothed in sackcloth, luminous with hope and involved in mourning. Thus do the strokes of providential chastisement accompany the out-beamings of providential munificence; and the brightest picture of human life is shaded with disappointment, suffering, and bereavement. It is in heaven only that death is unknown, that pain is never felt, and tears are never shed.

Utterly incompetent as I am to offer an appropriate tribute to the merits of Lord Sydenham, I should violate the obligations of gratitude, and be dead to the emotions of patriotism, were I not to express my deep sense and profound admiration of the priceless value of his labours, and the generous ardour of his feelings for the welfare of my native country.

Lord Sydenham belongs essentially to Canada. His nobility was fairly earned in her service; the ripest fruits of his experience and acquirements are embodied in her institutions; his warmest and latest sympathies are blended with her interests; his mortal remains repose, by choice, among her dead; and his name is indelibly inscribed in the affectionate esteem and grateful recollections of her inhabitants. Plutarch mentions it as the misfortune of Phocion, that "he came to the helm when the public bottom was just upon sinking." That which was the bad fortune of the Athenian general has, by superior skill, been made the good fortune of our late Governor General, as well as the salvation of Canada. The "public bottom" of our best interests and last hopes was, indeed, visibly and rapidly sinking when Lord Sydenham "came to the helm;" but his Excellency has not only saved the sinking ship, he has piloted her safely amid the rocks and shoals of party selfishness and ignorance, and made adverse winds tributary to the progress of his voyage.

It is not easy to determine which is most worthy of admiration, the comprehensiveness and grandeur of Lord Sydenham's plans, the skill with which he overcame the obstacles that opposed their accomplishment, or the

quenchless ardour and ceaseless industry with which he pursued them. To lay the foundations of public liberty, and, at the same time, to strengthen the prerogative — to promote vast public improvements, and not increase the public burdens — to provide a comprehensive system of education upon Christian principles, without interference with religious scruples — to promote the influence and security of the Government by teaching the people to govern themselves — to destroy party faction by promoting the general good—to invest a bankrupt country with both credit and resources, are conceptions and achievements which render Lord Sydenham the first benefactor of Canada, and place him in the first rank of statesmen. His Lordship found a country divided, he left it united; he found it prostrate and paralytic, he left it erect and vigorous; he found it mantled with despair, he left it blooming with hope. Lord Sydenham has done more in two years to strengthen and consolidate British power in Canada by his matchless industry and truly liberal conservative policy, than had been done during the ten previous years by the increase of a standing army and the erection of military fortifications. His Lordship has solved the difficult problem, that a people may be colonists and yet be free; and, in the solution of that problem, he has gained a triumph less imposing but not less sublime, and scarcely less important, than the victory of Waterloo; he has saved millions to England, and secured the affections of Canada.

In the way of accomplishing these splendid results, the most formidable obstacles opposed themselves. At the foundation of these lay the hitherto defective theory and worse than defective system of colonial government,—a system destitute of the safety-valve of responsibility, of the attributes of freedom, and of the essential materials of executive power — a system which was despotic from its weakness, and arbitrary from its pretences to representation — a system inefficient in the hands of good men, and withering in the hands of mistaken or bad men. There

were the wrongs, and abuses, and public bankruptcy which had grown out of this system; there were the party interests and the party combinations and hostilities which this system had fostered; there were the prejudices of one portion of the population and the fears and suspicions of another; there were the prescriptive assumptions of long possessed power, and the clamorous demands of long exclusion from power; and, worst of all, the conflicting claims of ecclesiastical pretensions; there was the absence of public confidence, and the absence of any one man or body of men able to command that confidence. To lay the foundation of a government adapted to the social state and character of a population thus depressed, divided, and subdivided; to provide for the efficient administration of all its departments; to create mutual confidence, and induce united action among leading men of all parties, without sacrifice of principle on the part of any, was a task difficult and hazardous to the last degree, and for even attempting which Lord Sydenham has been frequently ridiculed by persons of reputed knowledge and experience. It has often been said of his Lordship, as it was said of the Earl of Chatham, that he "had made an administration so checkered and speckled; had put together a piece of joinery so crossly indented and whimsically dove-tailed; a cabinet so variously inlaid; such a piece of diversified mosaic, such a tessellated pavement without cement; here a bit of black stone, and there a bit of white; patriots and courtiers; king's friends and republicans; whigs and tories; treacherous friends and enemies; that it was indeed a very curious show, but utterly unsafe to touch, and unsure to stand on." But Lord Sydenham's acute discernment distinguished between the former and present state of things; he knew that a difference of opinion or of party under the former constitution of either Upper or Lower Canada did not necessarily or fairly involve a similar difference under the new constitution of United Canada; he possessed the requisite energy and patriotism to act upon his convictions,

and commenced the illustration of his advice to obliterate the differences of the past, by selecting his advisers and public officers according to individual fitness and merit, irrespective of former personal opinions or party connexions. The individuals of widely discordant parties who opposed Lord Sydenham's government upon the ground of former party associations, have been signally disappointed in their plans and expectations, whilst his Lordship's success equally redounds to his own honour and the public benefit. Few administrations of government in any country have acted so harmoniously and cordially on so great a number of important measures as the new administration formed by Lord Sydenham. An old writer has quaintly but truly observed, " If a man should see a large city or country, consisting of great multitudes of men, of different tempers, full of frauds, and factions, and animosities in their natures against one another, yet living together in good order and peace, without oppressing and invading one another, and joining together for the public good, he would presently conclude there were some excellent governor, who tempered them by his wisdom and preserved the public peace, though he had never yet beheld him with his eye." Never was the maxim of a great statesman more strikingly illustrated than in the government of Lord Sydenham, that " The wisdom of government is of more importance than the laws."

By extreme partizans of all shades Lord Sydenham has been the object of unsparing abuse; but, as Burke has beautifully remarked, " obloquy is a necessary ingredient in the composition of all true glory; and it was not only in the custom of the Romans, but it is in the nature and constitution of things, that calumny and abuse are essential parts of triumph." Lord Sydenham's government was instinct with energy, yet equally characterised by impartiality, mildness, and liberality. The dying Pericles is reported to have said to his applauding admirers, " You forget the only valuable part of my character: none of my

fellow-citizens was ever compelled through any action of mine to *assume a mourning robe.*" Lord Sydenham has, indeed, left Canada clad in sackcloth and mourning, yet not for any act of his government, but for the sacrifice of his own life in it.

Lord Sydenham had finished the forty-second year of his age on the Sunday before his decease. The death of such a man at such an age would, under any circumstances, be a mournful event. He had lived just long enough to develop his great powers, while there seemed, according to all human calculations, enough of life remaining to afford ample space for their matured exercise. " The tree was old enough to enable us to ascertain the quality of the fruit which it would bear, and, at the same time, young enough to promise many years of produce." But the peculiar circumstances under which we have lost him, — at such a time, so unexpectedly, when so much was still expected from his future efforts, and so much gratitude felt for his past efforts, — add to every feeling of regret, and make the disappointment more severe and poignant to all thinking minds. But " the Judge of the earth will do right," although " His ways are in the great deep, and his paths past finding out."

To genius Lord Sydenham possessed no pretensions; but what has been said of Charlemagne was true of his Lordship: — he possessed " a great understanding, a great heart, and a great soul." His mind was eminently practical and habitually active; he was a shrewd observer of men and things; his knowledge was various and extensive, and always ready for practical application; and he descended to the minutest details of public business with astonishing quickness and accuracy. The interests of the country which he governed engrossed all his care, and seemed to form the element of his daily being. His plans were bold, comprehensive, and energetic; and, having been deliberately adopted, he would not suffer prejudice or clamour to turn him aside from the pursuit of them. He valued

prerogative only as the means of protecting and promoting public liberty and happiness. His dispatches to the Secretary of State for the colonies explaining the principles and objects of his measures, breathe the most ardent and generous feeling in behalf of the civil and religious freedom and growing happiness aud prosperity of the people of Canada. The publication of them will furnish the best eulogium upon his motives and character, while the operation of his magnificent plans will form a lasting monument of his wisdom and patriotism.

What Mr. Fox remarked of his friend the Duke of Bedford, may be said of Lord Sydenham, — " He died, it is true, in a state of celibacy; but if they may be called a man's children whose concerns are dear to him as his own — to protect whom from evil is the daily object of his care — to promote whose welfare he exerts every faculty of which he is possessed — if such are to be esteemed our children, no man had ever a more numerous family."

I have time to add no more, nor to correct what I have written. When I commenced this unpremeditated and hasty sketch, I intended nothing more than to give vent to the feelings of my heart in a couple of paragraphs. But the subject has grown upon me — rather has overwhelmed me; and what I have said seems but a passage where there might be a volume — but a sickly ray, when there ought to be meridian splendour. Lord Sydenham's political conduct belongs to history; and I rejoice to learn that a most suitable and able historian has been selected by his Lordship himself in the person of his chief secretary.

At the commencement of his Lordship's mission in Upper Canada, when his plans were little known, his difficulties formidable, and his government weak, I had the pleasing satisfaction of giving him my humble and dutiful support in the promotion of his non-party and provincial objects; and now that he is beyond the reach of human praise or censure — where all earthly ranks and distinctions are lost in the sublimities of eternity — I have the

melancholy satisfaction of bearing my humble testimony to his candour, sincerity, faithfulness, kindness, and liberality. A few days before the occurrence of the accident which terminated his life, I had the honour of spending an evening and part of a day in free conversation with his Lordship; and on that, as well as on former similar occasions, he observed the most marked reverence for the truths of Christianity — a most earnest desire to base the civil institutions of the country upon Christian principles, with a scrupulous regard to the rights of conscience — a total absence of all animosity against any persons or parties who had opposed him — and an intense anxiety to silence dissensions and discord, and render Canada contented, happy, and prosperous. I am told that, the day before his lamented death, he expressed his regret that he had not given more of his time to religion. His mind was perfectly composed; he was in the full possession of his rational powers until he " ceased at once to work and live." He transacted official business in the acutest agonies of suffering, even " when the hand of death was upon him." The last hours of his life were spent in earnest supplication to that Redeemer, in humble reliance upon whose atonement he yielded up the ghost. Those who were most intimately acquainted and connected with Lord Sydenham are most warmly attached to him, and most deeply deplore their loss; and few in Canada will not say, in the death of this lamented nobleman and distinguished governor — I have lost a friend.

Yours very truly,

E. Ryerson.

(*From the Christian Guardian.*)

LORD SYDENHAM'S DYING PRAYER FOR CANADA.

" May Almighty God prosper your labours, and pour down upon this province all those blessings which in my heart I am desirous that it should enjoy." — *The conclusion of the late Governor-General's last public document.*

In another column will be found a letter from T. W. C. Murdoch, Esq., Chief Secretary, to the Speaker of the Legislative Council, with a most interesting document accompanying it — "the speech which had been prepared by the late Governor-General, to be delivered on the prorogation of the legislature, but which his lamented illness prevented." The secretary's letter is beautifully simple and touching; the speech produces a powerful emotion; and the conclusion of it is perfectly irresistible, dictated as it was "at a time when the hand of death was upon" the noble writer. If it be true, that the ruling passion is strong in death, our distinguished, but departed, Governor-General loved Canada; and this speech, which he dictated, but did not, could not, deliver, is remarkably confirmatory of the opinion we expressed last week — "Lord Sydenham died as he lived, the friend of Canada." Canada was on his Lordship's *heart*. Two years ago he left his native land, at the command of our beloved sovereign, and arrived in the colony at a time when the aspect of affairs was repulsive rather than attractive; and we believe it is beyond the power of any person to allege, that he did not live resolved to please his sovereign and benefit her Canadian subjects. A difference of opinion has been expressed on some of his Excellency's measures, of the merits of which it is not our province to speak; but only one sentiment can be uttered respecting his Excellency's unreserved devotedness to our interests — a devotedness which no obstacles could dishearten, no bodily afflictions limit, and which death only could terminate. And when this was inevitable, his request was, that he might be buried in Canada — the land of his attachment, the land of his undying solicitude, the land of his glorious deeds. He died blessing Canada. Undisturbed be his ashes till the morning of the resurrection! — Canada was in his Lordship's *plans*. It is even a hackneyed saying, "the Governor-General attempts too much for the country." The truth is, he thought much, and was ever occupied

with projects intended for our good. A catalogue of the bills which have been passed in Eastern and Western Canada under his administration, with the reasons which led to their adoption, and the results which have followed, or are likely to follow their adoption, would say much in favour of the greatness, originality, and wisdom of his mind; and all he did, he did for our country. — Canada was in his *prayers*. "May Almighty God .... pour down upon this province all those blessings which in my heart I am desirous that it should enjoy!" What "all those blessings" were we may without mistake suppose from his lofty and liberal official course — blessings civil, commercial, educational, and religious, for the old and the young, the poor and the rich, the untaught and the accomplished, the pious and the profane, to latest generations — blessings which we believe it was the desire of his heart should be universally diffused. This then was our dying chief ruler's prayer, when the heart was ceasing to beat — when the hand had nearly forgotten its cunning — when earth was receding — when the veil of eternity was being drawn; in that dread moment he remembered — CANADA. Never did patriotism utter language invested with a deeper pathos, or breathe a spirit more befitting the bed of death; and of the regretted intercessor, and all like him whose stupendous public acts are their triumph and their praise, we affirm,

"They never fail who die
In a great cause."

To his Lordship's last prayer we say AMEN: and from the Atlantic to the Huron, in every human dwelling, and deep in every British heart, and loud on every fervent tongue, will be heard the solemn response.

(*From the Examiner.*)

It is with feelings of the deepest regret that we give publicity to the announcement of the demise of the Go-

vernor-General of British America. The sufferings endured by his Excellency since the occurrence of the late unfortunate accident have been intense, and were borne with the greatest fortitude. We understand that he was in the full possession of his faculties to the very last. On the morning of his death he took an affectionate leave of all his friends, who were most sincerely and devotedly attached to him. Whatever differences of opinion may have existed on particular measures of Lord Sydenham's administration, we feel assured that his Lordship's name will long be held in grateful recollection by the people of United Canada. His Lordship assumed the government of these provinces at a period of the greatest difficulty; and when we compare the present state of public feeling with that which then existed, we are bound to admit that his administration has on the whole been an eminently successful one. The result of the first session of the United Legislature, which we have elsewhere referred to, must have been in the highest degree satisfactory to his Lordship, confirming, as it has done, the hopes of some, and dispelling the fears of others, as to the working of that union, which it was the especial object of his mission to carry into effect. His Lordship was on the eve of his departure for England, where he would doubtless have been rewarded with fresh marks of the favour of his sovereign, when the accident occurred by which he has been cut off in the prime of life and in the full vigour of his intellect. Well may we join in the common exclamation, "Sic transit gloria mundi!" We feel but little inclination at present, either to review the general policy of the distinguished nobleman whose loss we have now to deplore, or to speculate on the disasters which may befal this country in consequence of his death. We shall defer these topics till a more fitting opportunity offers. At present we shall content ourselves with joining our cotemporaries, and the public at large, in expressing those feelings of sincere sorrow which, we are well assured, pervade all classes of

society. In this city, most of the principal merchants show their feelings by partly closing their windows. We presume that there will be due regard paid to the event in all our churches next Sunday; and are pleased to hear of one clergyman who intends to deliver a discourse upon the subject on the evening of that day.

(*From the Examiner.*)

We have copied elsewhere, from the *Kingston Chronicle*, an account of the funeral of the late lamented Governor General, and we have also transferred to our columns some of the notices of his Lordship's death by the cotemporary press. In this section of the province political hostility seems to have been entirely forgotten; and there is one general acknowledgment from all quarters, not only of the great talents of the deceased nobleman, but of his unwearied exertions for the interests of Canada. It was our misfortune very frequently to be compelled to dissent from the line of policy adopted by Lord Sydenham, more especially from that followed in the eastern section of the province; but we have been ever ready to make allowances for the difficulties with which he was encompassed, and we should be ungrateful indeed were we to withhold our humble acknowledgments for the many essential services which he has rendered to our adopted country. During his Lordship's brief administration, the union of the Canadas was matured and carried into full operation. True, the Union Bill is far from perfect in its details; but we are justified in asserting that public opinion has quite sufficient influence in the House of Assembly to insure the amendment of all objectionable provisions, and that too at no very remote period. The principle of responsible government has been fully recognised. The members of the Administration, all of whom were heads of departments, distinctly avowed, on the floor of the House, their responsibility to Parliament for the measures of government. They acted together in perfect harmony and con-

cert with regard to those measures; and, although there were occasional deviations from British practice, yet that practice was always acknowledged as their rule, and a more strict adherence to it in future may be anticipated. Whatever political differences there may have been in the House, it was felt by every one that there was an administration, and that its existence depended on the support of a parliamentary majority. Were we to pause here, we feel that we should have said enough to prove that the name of Lord Sydenham should ever be held in grateful remembrance by the people of Canada. But we are bound further to acknowledge, that we are indebted to the energy and practical talents of his Lordship for the most important measures of last session, more particularly for the magnificent scheme of public improvements, and the favourable arrangements relative to our debt. It is not, in all probability, at the present moment that full justice will be done to the administration of Lord Sydenham, although, as far as the press is an indication of public opinion, there has never, we believe, been a more general expression of regret for the loss of a public man. Widely extended, however, as is that feeling, it will, we are assured, be much more so after the lapse of a few years. The existing political asperities will then have entirely subsided, and Lord Sydenham will only be remembered as the founder of our constitution, and as the individual who brought into practical operation that sound British principle of responsible government, by means of which alone the connection between the colony and the parent state can be preserved.

(*From the Toronto Patriot.*)

It is with feelings of no ordinary regret and solemnity that we have to announce the untimely death of the representative of our sovereign, the Governor General of British North America. This melancholy event took place on Sunday morning at seven A. M.

His Excellency's health, which had never been strong, was rapidly improving up to the happening of the accident by which his leg was lately fractured. The effect produced thereby on his weak constitution was fatal. Two or three days since, the spasms of his old disease again attacked him, but until Friday no positive alarm for his life was felt; all that night his strength rapidly failed, and on Saturday his death was hourly looked for. His own physician, Dr. Farndon, Dr. Sampson, and Dr. Widmer were in constant attendance. Towards noon, the hour fixed for the prorogation of Parliament, he continued to sink with fatal swiftness. The Rev. Mr. Adamson, Chaplain to the Legislative Council, attended him almost without intermission, and administered to him those last consolations of our holy religion, which we are assured by a constant eye-witness of the melancholy scene were deeply and sincerely appreciated by the dying sufferer. On Saturday evening he received the sacrament in company with most of his household, and appeared calmer and better after that holy rite. During the night his sufferings are described to have been of the most agonising and trying description, and his fortitude under their cruel pressure remarkable and determined. A few minutes past seven on Sunday morning he was released by death from his agonies. He was perfectly sensible and collected to the very last moment. The Rev. Mr. Adamson, by his especial desire, never quitted him to the last.

Thus died, in the prime of life and the full vigour of an active mind and strong intellect, the Governor-General of British North America. Throughout the vast dominions that he governed, the occurrence of such an event cannot fail to give rise to feelings of no ordinary nature. His sojourn amongst us has been marked by unprecedented and marvellous changes. His name has little prospect of being forgotten; and to another period, and perhaps another generation, may be devolved the task of writing the epitaph of the departed representative of royalty.

We believe his Excellency expressed a desire to be buried in Canada.

(*From the Church.*)

Lord Sydenham breathed his last at Alwington House, near Kingston, on the morning of Sunday last, the 19th September, at five minutes past seven o'clock.

His Lordship came to this country with a shattered constitution, and even had not the accession of Sir Robert Peel to power entailed upon him the necessity of returning to England, the severity of the climate would not have permitted him to remain. Accordingly he had prepared for his departure on the close of the session, and had even heard of the arrival of the frigate at Halifax which was to convey him home. His health, which not long before had suffered a severe shock, was gradually improving, when the fatal accident occurred, which, from the first, gave rise to uneasy apprehensions, and ultimately terminated his existence.....

Such a melancholy termination to a splendid and prosperous career of human greatness, must excite a deep and general sympathy; and the most determined opponent of Lord Sydenham's administration will, if he be worthy of the name of man, bury all personal animosity in his tomb. We do not ask any one to suffer emotions of compassion to overpower his judgment, and alter his conscientious opinion of his Lordship's character as a statesman; but we trust that his memory will be treated with that forbearance which is consistent with a love of truth, and with that gentleness and pity which the circumstances of his mournful departure suggest. Far away from his native land, with few of his kindred about him, in the very hour when success had crowned his administration, and when he was about to return home, and, for the first time, take his seat in the noblest and most august legislative assembly in the world, the House of Lords, death came, and, in a

few days, levelled to the ground the fabric of prosperity and grandeur which had just received its completion.

(*From the British Colonist.*)

It becomes our painful duty to convey to our readers the melancholy intelligence of the lamented death of his Excellency the Right Honourable Lord Sydenham, Governor General of British North America, who departed this life at Alwington House, near Kingston, on Sunday morning last.

The memory of Lord Sydenham will always be revered by the people of Canada, and no tribute of respect which they can show to his departed worth can express the debt of gratitude which the country owes his Lordship. From the period of the first arrival of the late Governor General (then the Right Honourable Charles Poulett Thomson) at Quebec, in October, 1839, to the day of his death, he not only evinced the greatest anxiety for the welfare of the country, the government of which he had been charged with by his sovereign; but even when labouring under severe bodily affliction, his government was distinguished by a degree of vigour and energy unusual under former administrations, and which did not fail to unite the great body of the people in his support, and to call forth the marked approval of his sovereign. Looking back to the first proclamation issued by the late Governor General, on his assuming the government at Quebec on the 19th October, 1839, we find that his most anxious wish was declared to be to promote to the utmost of his power the welfare of all classes of her Majesty's subjects — to reconcile existing differences — to apply a remedy to proved grievances — to extend and protect the trade, and enlarge the resources of the colonies entrusted to his charge — and above all, to promote whatever may bind them to their mother country, by increased ties of interest and affection. The progress of his government from that period to the

close of the first parliament of the province at Kingston, is the best evidence that can be pointed to, to show the faithfulness of his adherence to his first announcement; and that, too, amidst difficulties and obstacles which few could have summoned the courage to contend against, far less the ability to overcome.

The tranquillity and contentment which now prevail throughout the country, are in striking contrast with the unsettled state of the provinces of Upper and Lower Canada, when the late Governor General first assumed the government; and were there nothing further to be grateful for than the progress that has been made in reconciling differences, that is of itself sufficient to endear to the Canadian people the memory of their departed ruler.

On the first arrival at Toronto of the late Governor General, addresses of congratulation were poured in from all parts of the province, and these were conveyed and presented by deputations from the various districts. The last session of the U. C. Parliament followed, at which that great and important measure, the Union of the Provinces, was agreed to; and afterwards his Excellency having visited all parts of the country, the addresses that were presented to him by the people confirmed their former declarations of confidence in his government, and conveyed their perfect acquiescence in the measure for a union that had been adopted. The best proof of the success, and of the beneficial effects to the country of that change, is to be found in the many valuable measures that have been passed by the Parliament just prorogued, and the great good which, by proper management and care on the part of the people themselves, must inevitably result from them.

To Lord Sydenham the people of Canada are greatly indebted for the establishment of those local municipal councils which place the management and control of their affairs in their own hands. This, under proper directions, and by the exercise of a prudent judgment on the part of

the people, is the greatest boon that has ever been conferred on them. His Lordship drew a broad distinction between the works that ought to be undertaken by the province and those which ought to be performed by districts, for which latter purpose these councils have been established. This he thus explained,— "I am of opinion that works of general utility should be undertaken by the province, and are subjects for deliberation by the executive and the legislature; but it is no less necessary that upon all the lesser matters affecting their interest, the people should acquire habits of self-dependence, and that means should be afforded them in each separate district, of effecting themselves that which they consider for their own interest." The District Council Act may be regarded as a legacy from a great ruler to a grateful people!

But in these cursory remarks it is not our purpose to review the government of Lord Sydenham, nor even to allude to the great leading measures of his administration; but we have been led imperceptibly into the foregoing statements, which we trust may not be considered inappropriate.

Lord Sydenham, like all mankind, had his enemies as well as his friends; but, in this province, the former were few in comparison to the latter. His great care has been to advance the public welfare; and that he should have had to encounter in the performance of so arduous a task, personal or even the most bitter sectional opposition, is only what might have been expected. Under his Lordship's auspices, the government of the country has been placed upon such a basis, as that, hereafter, to be successfully carried on, it must be cherished and supported by the people — it must find a place in their affections.

His Excellency having expressed a wish to be buried in Canada, we have been informed that the funeral will take place on Friday next, and that his remains will be deposited within the episcopal church at Kingston. Lord Sydenham is dead! In peace rest his ashes! He has

been a benefactor to Canada, and no true patriot can deny the fact!

The administration of the government devolves upon Lieutenant General Sir Richard Jackson, commanding the forces in Canada.

(*From the Kingston Herald.*)

All is finished! —Parliament is prorogued, and the Governor General is no more! — "*Sic transit gloria mundi.*" Let us now be calm, and reflect on these occurrences as men and Christians.

The first Parliament of United Canada has ended well — well beyond all expectations — and much good has been achieved. The labour was arduous, and could not possibly be completed in one session; but the main positions of the new government have been sustained, and some of the most essential measures of reform effected. Conflicting opinions have not been carried out to injury in any way, and all have parted in good humour.

What most concerns the people's liberty — the institution of district councils — is secure; and secured, may be amended. The board of works is established, and an improved system of education will be introduced. Fiscal regulations of a critical nature are very properly suspended till well adjusted in all their bearings. We say this much merely to proclaim our feelings on the eventful occasion, reserving, for the future, details and strictures.

The death of Lord Sydenham, when it happened, seems as if the Almighty decreed that matters so momentous should be sealed with the utmost solemnity. No sooner had the hand of his Excellency performed its most important offices, subscribed his will, and superscribed all the instruments of the legislature, than it ceased to move; and there was but time for the effusion of affectionate feeling, thoughts of a better world, and for administering the holy sacrament to the dying man before his spirit returned to him who gave it.

The death of Lord Sydenham, thus strikingly marked, can leave but one impression on the public mind — submission to the All-wise Disposer of events, and a humble trust that God will never abandon those who are worthy of his regard.

As an instrument, Lord Sydenham will be looked back to as specially appointed and singularly efficient. In business he was indefatigable; and what he accomplished in this way must have been great indeed. As a statesman, he was undoubtedly wise and prudent; for however some, who have heretofore basked in favour, may complain of neglect to them, and of promoting others whom they looked upon with prejudice, yet sure we are nothing else could have secured peace; and, peace secured, this noble province needs but time to be prosperous and happy. — So be it.

Lord Sydenham came to this country charged with the execution of a commission of surpassing difficulty and delicacy. During the two years that he laboured incessantly through good and evil report, and through the anguish of a sick bed, he met and conquered every obstacle that rancorous political prejudice and self-interest, superadded to the insidious workings of secret political conspiracy, could present to the attainment of his object. His experience in the great world of imperial politics armed him at all points — he was never unprepared. He knew too well human nature, and the springs of action and motives of public men, to be taken unawares by any event or combination of influences calculated to thwart his measures or drive him from his course. If to this experience we add those rare personal qualities known to all who laboured with Lord Sydenham — a firm and settled purpose, unswerving resolution, indefatigable application to business, and, sustaining all, an inconceivable energy in promoting the execution of his plans, we shall have the secret of his mastery over men and over events. All who have marked the recent progress of public affairs in this

country will be impressed with the conviction, that had the directing mind been endowed with qualities of any lower grade — had the "man at the helm" possessed a less firm hand, than were displayed in the administration of the nobleman whose melancholy decease we have just witnessed, the Union would not have weathered the storms and rude buffets to which it has been exposed.

(*From the Brockville New Era.*)

Could our pen supply words expressive of one half of the pain and sorrow with which this melancholy event has filled us, we might find some slight relief from the consciousness of having at least unburthened ourselves of a heavy weight of mingled duty and affliction; but never more than at this moment did we feel the absolute inadequacy of language to depict the unaffected grief of the soul. The news of the death of Lord Sydenham — of the first, the greatest, man who has practically legislated for this country — has, in defiance of the knowledge we possessed of his recent complicated sufferings, burst upon us with a startling solemnity we could not have believed it possible the event could inspire; and our whole being seems as it were enshrouded in an atmosphere of stupor, in which we are alive but to one bewildering consciousness — one continuous and melancholy wailing cry of "*Lord Sydenham is dead.*" In truth, our reason, not less than our feeling, is stultified; and we look upon the fatal termination of the days of the highly gifted statesman and nobleman, not only with that deep regret which is due to him in his public character, and which will be shared by the whole country, but with a profound personal sorrow, for the existence of which we can only account, by attributing it to the power and influence of that private respect for his character which his Lordship's public acts have had a direct tendency to command in the minds of all reflecting men. And if thus sincere be our regret for the sad demise of Lord Sydenham, with whom we have never had

the honour of more than a single interview, and our opinion of whom has been formed wholly from the public conduct pursued by him in this country, what must not be the poignancy of grief of those who have been honoured with his private confidence and friendship? and who have had ample opportunity of observing the intricate and powerful springs of the master-mind which, in the space of a few short months, and amid difficulties the most disheartening and discouraging, had achieved so much for this country?

Alas! what is human life but vanity? what the most brilliant imaginings and deeds of the most talented and the most mighty, but so many idle and evanescent dreams, which a passing breath, a casualty of the moment, may wholly overturn and destroy? High in the reputation which he had gained by his own profound talent for diplomacy — rich in the approbation bestowed upon his unceasing and successful labours by his sovereign — conscious of having merited the good will and opinion of the people of this country, whom he had ruined his health to benefit — Lord Sydenham was already preparing to return to England, to repose for a period (long or short, as the political changes in the Imperial Government might induce) from the toils and sufferings, bodily as well as mental, inseparable from his difficult government, when an accident savouring of fate — of destiny — occurs, which puts an end, not only to the high hopes formed by the country, but to all his own fair expectations of enjoying in temporary quiet the reward of his successful public life.

There is something so painfully affecting in the manner of Lord Sydenham's death, or rather in the causes which have led to it, that the bereavement comes upon us with a suddenness — a shock we should not have experienced under any ordinary dispensation of Providence. Had his Lordship even perished solely by a natural return of that malady which had already so grievously afflicted him since his arrival in the country, the mind, being prepared for its

possible recurrence, would have been in some degree armed for the stroke, which would have fallen less heavily upon it; but, knowing as we do that the disease, which has terminated in death, has been brought on wholly by the deplorable tissue of circumstances to which we have referred, it is impossible (puerile though it be) to prevent a feeling of deep bitterness, not only against the vile road, the stumbling horse, but all the concurrent and adverse causes which have contributed to the catastrophe, from mingling with and increasing in a tenfold degree the sorrow which, however profound, would have been in a measure subdued by a knowledge that the immediate and chastening hand of God had alone inflicted the blow. Is there not something melancholy in the thought, that, with common care and with common prudence, the valuable life of Lord Sydenham might have been spared, not only to the people of this country, for whom he has already done so much, and for whom he intended so much more, but to his own personal friends and acquaintance? Is there not something painfully agonising in the very natural assumption that his Lordship himself, even while in the act of indulging in anticipations of an honourable future in his own beloved country, after having raised this to dignity and consideration, was cut short in his visionary speculation by the warning and outstretched finger of relentless death, who had already marked him for his own? Is there not something inexpressibly heart-rending in the reflection, that the ill-fated statesman and nobleman, whose departure for England it had been rumoured would take place on the 22d of September, lies on the 22d of September a cold and inanimate corpse in Alwington House, freed alike from the pains and the pleasures, the vain aspirations and fluctuating desires of this poor and transitory existence — and heedless as well of the sincere regret of his warmest admirers, as of the affected condolence of those who, while paying a forced tribute of regret to the man, can but ill conceal their deep exultation at the final removal of the Governor? If these things do not tend to impress us with the absolute nothingness of this life — the vanity of all human distinction and power — we know not through what more appropriate channel the lesson can reach us.

Ours is no hollow praise tendered at the footstool of power — no heartless tribute to the merit of one who has the ability to reward it. Alas! Lord Sydenham is powerless to do us good, or to do us harm. While living, no fulsome panegyric, no personal praise (deeply impressed though we were with a sense of his extraordinary firmness of character and high political attainments) ever escaped our pen. If we noticed his Lordship *then*, it was only through his public acts, which, we hesitate not to say, have been unequalled in benefit by any thing ever hitherto done for any country in the same limited time, and will never be surpassed. But now that death — the melancholy death we have already noticed — has removed the barrier a sense of delicacy would not permit us to overleap, we feel that we can, without fear of our motive being misunderstood, give vent both to our admiration of his Lordship while living, and to the unfeigned grief with which his most unfortunate demise has oppressed us. Yet wherefore do we write as though we were alone in our lamentation? At present the astounding event has bowed many a noble heart in the silence of sorrow; but there speedily will be a reaction, when the voice of the people will be loud to proclaim the magnitude of the evil they have sustained. As long as these mighty waters shall flow — as long as these noble forests shall remain — so long shall endure the mingled regret and gratitude of a people for the memory of the noble and disinterested ruler, who sacrificed health and life for the promotion of their good, and who, with incomparable resolution — with a grandeur of mind wonderful beyond estimation — devoted even the last moments of his existence, and these marked by extreme bodily agony, to them and to them alone! Lord Syden-

ham's name and acts, like the name and acts of his equally noble-minded predecessor Lord Durham, to whose comprehensive plans he was destined to give practical effect, must for ever live in the page of Canadian history, and be identified with the advancement of Canadian prosperity.

The length and personal character of our remarks wholly preclude the introduction into our present number of matter bearing more fully upon the lamented Statesman's public conduct since his arrival in this country, but we shall take an early opportunity of passing this in review in the manner it deserves.

(*From the Hamilton Journal and Express.*)

Such is the brief announcement which conveys to an afflicted people the mournful intelligence of the death of their best friend. Prepared as they were for the blow by preceding accounts, yet the reality was received as a shock; and deep are the feelings of regret which pervade every class of the community, eschewing party politics for the time, and mingling in one lament at the loss of a great man, and the humbling reflection of the mutability of all human aspirations. Lord Sydenham's administration of Canada will form a theme for the historian's pen, and in other times and by other men justice will be done to his great abilities and labours. His arrival in this province, hailed as it was by the reformers with anticipations of the most cheering nature, was the precursor of a happy and prosperous era for Canada, that fully justified the confidence the people were ready to award him. Combining statesman-like talents of the highest order with great practical experience, and much personal industry, he was the very man among all others best suited for the arduous and responsible duties of Governor-General over the most important of Britain's colonial possessions. Lord Durham's report, that admirable theory of political government, was the text book by which Lord Sydenham was guided; and the peculiar sagacity with which he applied

principles, hitherto considered as adapted only to British practice, in the administration of Canadian Government, entitle him to a place in the catalogue of the benefactors of this province, superior to all that have gone before him, and, we believe, not inferior to any that may follow. The great principle of responsible government, so liberally conceded to this province by the British Ministry, although evidently necessary to the administration of Canadian affairs, still required much patient and earnest attention to ensure its peaceable and successful application. For harassed as he was on the one hand by the violent opposition of the factious, the disappointed, and the bigoted, and but feebly supported on the other by those who, although every consideration of duty and interest should prompt them to active exertion, remained in slothful apathy, Lord Sydenham had difficulties to contend with at the commencement of his career in this province which few men but himself could have surmounted. All these obstacles gradually vanishing before his cool determination and indomitable perseverance, the late Governor-General was rapidly consummating those extensive and beneficial schemes which he had hitherto so successfully directed, when the abrupt stroke of death terminated alike his mortal career, and the progress of that extensive political system which would ultimately have redounded so greatly to his own honour, and have resulted in so much advantage to the country. That Canada has reason to mourn so severe a loss is too painfully apparent to require argument. And in England a blank will be left in the political circle which will with difficulty be filled.

It is melancholy to reflect, that at the very time when Lord Sydenham, purely by the power of his own transcendent talents and indefatigable industry — by his nimbleness of intellect and political integrity — by his vast practical knowledge and business-like habits, had elevated himself first to a prominent political position and high official estimation in England, — then to the no less ho-

nourable, and far more arduous, appointment of pacificator to a valuable colony, agitated by internal dissension and threatened by foreign aggression; with its commerce depressed, public improvement at a stop, and property every day depreciating in value — an appointment in which the success that crowned his endeavours procured for him his Sovereign's approbation and the gift of a peerage: — we say it is melancholy to reflect that at that period when, in all human probability, he had many years of useful activity, or honourable retirement, to pass through, Providence should, in its wisdom, have seen fit to cut him off from among those who had watched his progress, and would have rejoiced in his triumph.

It is no insignificant testimony to the purity of intention, the integrity of conduct, and the sagacious foresight which characterised Lord Sydenham's administration, that even those who, when he first came to this province, were the most violent in their opposition, and the most rabid in their abuse, afterwards moderated in their opinions, and ultimately became his warm supporters. It speaks much for the liberality and honesty of his policy; it says much for his watchful attention and earnest anxiety to promote the welfare of the province, that out of the most discordant elements he managed to evolve harmony in action; that with a legislature composed of every shade of political complexion, he was enabled to pass measures of vital importance to the country.

The circumscribed limits of a newspaper notice are insufficient to reconsider even briefly the various incidents in the career of this gifted and distinguished nobleman; but we could not announce his death without expressing what we are sure will be echoed by all our readers — our unfeigned admiration of his talents, our sincere regret for his sudden and premature decease, and our deep sense of the loss Canada has sustained by this melancholy event.

(*From the Canada Inquirer.*)

There are events occasionally occurring in the world which for the moment so absorb and overawe the heart of man, as to render him indifferent to every thing save the engrossing feeling which then engages him. The death of his Excellency Lord Sydenham, Governor-General of British North America, is one of these events. The fever of political excitement, the bickerings of party, the hopes and fears, the joys and sorrows of a public, subside into one subdued and overpowering feeling of regret that a noble spirit has passed from amongst us; that he who so lately ruled the destinies of our land, with honour to himself and advantage to the people, has been cut off in the zenith of his glory, and in a few short days been doomed to change the pomp and pride of state, the trappings and blandishments of earthly power, for the cold and lonely habitation of the grave. It is honourable to the memory of his Excellency, that this regret is as universal as it is sincere; and it would be strange indeed, if a man who has finished a career like his was not universally lamented, for even the blindest and most bigoted of his political opponents must admit that his life was alike distinguished for the unimpeachable honour and sterling integrity of his character, as it was adorned by the commanding talents and unwearied energy which he possessed; and that the great efforts of his life were expended in securing the happiness and prosperity of his fellow-men. Canada, which formed the scene of his last and noblest exertions, and has been the means of securing him his greatest and most signal honours, has been destined to receive his last mortal remains, to witness the climax and decline of a life which has added vigour to her institutions, and placed her government on a basis best constituted to secure her rights and happiness. Equal justice to all was the motto on which he started his administration in 1839, and on that principle it has been nobly conducted. Whe-

ther we regard the great measures of his policy, the union of the provinces, the principles of responsibility to the people he recognised, the Municipal Council Bill, or look to the minor details of his political course, we are struck with the firmness and energy of purpose — the perseverance, the toil and trouble it cost him; and although sometimes he deemed it necessary to conceal the ends of his policy that he might the better mature its execution, yet these ends were generally approved of when known, and spoke the wisdom and sagacity of the statesman who carried them into operation. His views of the government of Canada were founded on shrewd observation and deep reflection, and whoever his successors may be, we are confident they cannot adopt a better chart for their guidance than may be gleaned from the course he has taken, and the instructions he may have left. A system of government based upon less liberal views will never succeed in Canada. But we cannot now digress into political discussion — our object is to pay a passing tribute to the memory of departed worth; yet how can we in a few short sentences record our opinions of a man whose life has been an ornament to the world? That life is now no more — peace to his ashes! Lord Sydenham is gone; and we are sure that his memory will live in grateful recollection, so long as there are hearts to feel and heads to appreciate the goodness and greatness of his character — the wisdom of his public, and the kindness, urbanity, and refinement of his private life.

(*From the Woodstock Herald.*)

We promised in our extra of Wednesday to advert more fully to the subject of Lord Sydenham's lamented and untimely death; and we now proceed to fulfil that promise.

We are not of those who fear that the prospects of Canada can now be buried in the grave of any one man, however great; but if the measures of Lord Sydenham

were, in general, such as held forth a reasonable prospect of future prosperity and greatness to this gigantic colony — and few, comparatively, despaired of their ultimate efficacy — there is deep reason to deplore the sudden removal of the master spirit that had triumphed over so many obstacles thrown in the way of their accomplishment by the fiercest party malignity, and had gathered assistance and support from among the most discordant materials. Though there is not the slightest probability of a change in the general policy of the provincial government, — desired by one party and feared by another, — still there is danger of failure, to a certain extent, from incapacity on the part of the successor of the original architect. There may be more of listening to interested counsel, and there may be also an injudicious intermeddling with details at the outset, that may create alarm, from its being mistaken for a subversion of principle; to say nothing of the obvious difficulty that one mind, however acute in its perceptions and comprehensive in its grasp, must naturally encounter in carrying out the designs of another. But, after all, delay and temporary embarrassment will, we trust, be the worst consequence to be anticipated from the sudden death of Lord Sydenham; for we feel as well assured that the new ministry in England will not revert to the old folly of appointing an inexperienced man to this important trust, as we are that they will not send out one to undo what has already been done in the way of effecting a mighty change in the whole system of government in Canada. Lord Sydenham's successor must be a statesman, to be able to comprehend and follow up the measures already in progress. No doubt many of them may require modification, but they must not be touched by the hand of an apprentice. Some of them are daring and hazardous experiments; but to check them in their incipiency now would not only insure the evil which is dreaded from them, and which might be averted by skilful management, but would accelerate the advance and ag-

gravate the amount of that so much deprecated evil — revolution.

It is not our purpose, however, to speculate on the probable success or failure of the measures of Lord Sydenham, farther than to acknowledge that the palpable good already produced by their partial development, in our opinion, gives an earnest of their ultimate complete success, which we once dared not to expect. Our object now is to offer a brief but sincere tribute to the memory of the distinguished nobleman now no more. And this we cannot better do than by a simple allusion to the all but miraculous change which has come over the political spirit of Canada since his arrival among us, and a passing glance at the mighty — we had almost said mysterious — influence which one intellect has so visibly exercised over the myriad-minded public in so short a time. Such is the change wrought within two years, chiefly by the agency of one man, that the country almost seems to be inhabited by a different race of people. Two years ago, men regarded each other with suspicion, jealousy, and hatred. Society was split up into factions, having apparently in view no object in common but to annoy and crush each other. The general good was merged in the strife of party — one powerful faction clinging convulsively to the time-worn prejudices out of which its ascendency had grown, and with the conservation of which the maintenance of that ascendency was felt to be identified; and another faction, strong in numbers, clamouring for some change in the name of reform, and in that of equal privilege, grasping at a transfer of exclusive supremacy. The spirit of *compactism* was all-pervading; for though the compact of each locality may each have had a different *shibboleth*, it had a monopoly of power and patronage in its own locality. Here all but the natives of one country, or the professors of one creed, and there those not of another country or creed, were, or considered themselves to be, the subjects of proscription, and consequently of oppression. It was, perhaps, this

real or imaginary exclusion of certain classes from all chance of preferment to office, more than any other cause, out of which one rebellion had arisen in Upper Canada; and, from the same cause, aggravated by conscious discomfiture on the one part, and unseemly triumph on the other, there were strong indications and gloomy forebodings of another and a fiercer outbreak, when the late Governor-General arrived with a message of hope, and a promise of "equal justice" from the Queen. Simultaneously with the deliverance of that message and that promise, the fierce howlings of party rage began to subside; and for once the people of Canada were found forgetting "past differences," and rallying round the representative of their sovereign, for the purpose of cheering him on in the pursuit of the great and good purpose of his mission. Unanimity succeeded discord, and hope took the place of despondency. It is true that some of the ultras of the two ultra parties stood aloof, and a few still continue to stand sullenly by; but the people were no longer arrayed under party banners against each other. It is also true that a miserable outpost of each of the two conquered factions, composed of men unable to view the public good as a thing altogether independent of and distinct from the gratification of their paltry personal ambition, or the promotion of their exclusive personal interests, still maintains its original ground of opposition to the restoration of harmony; but such men are only holding themselves up to the contempt and derision of the people.

We come, now, to speak very briefly of the influence which he who is now no more exercised over all who came within his reach. With one or two exceptions, all bowed at once before the mighty magician, and joined hand in hand, though in bitter opposition before, in assisting to carry out his policy. The intellectual wealth and the moral worth of the land had only to approach him, and they were at once enlisted into his service. They who had shunned each other, as if each had con-

sidered the other tainted with leprosy, met together in his presence, and went away arm in arm, communing with one another on that mysterious influence which had brought them together and made them brothers. It is a base mind only that can find no other than base motives for extraordinary conduct; and on a dispassionate review of the wonderful drama that is just closed, we cannot help attributing the whole of its astonishing shiftings to the mastery of a superior intellect. If it was not so, the history of the world furnishes no such accumulation of instances of gross dishonesty and servile sycophancy as is presented in that of the bygone session of the Provincial Parliament. But we do not believe that all this subserviency was a matter of bargain and sale; it was an involuntary homage to the resistless power of a great and energetic mind. The light of that high intellect has been suddenly withdrawn by the hand of death, but its influence will long continue to be felt on the destinies of Canada. If the successor of Lord Sydenham shall follow in his footsteps, though at an humble distance, Canada may say in his own parting words when he heard that the Parliament was prorogued, "Then all is right."

(*From the Nova Scotian.*)

In taking up our pen to fulfil our promise, by giving to the people of the Lower Provinces a view of Lord Sydenham's Canadian policy, there are two reflections which make the task sufficiently painful,—he has recently met with an accident, which, to a person worn down with labour as he was when we saw him last, may be a serious infliction, and he is about to retire from his government. One cannot turn to the topics which must be embraced by such a review without feeling that his lordship can scarcely afford the slightest further inroad upon a constitution already sufficiently delicate, and that Canada can but ill spare the master mind which has grappled so vigorously with her difficulties, and reduced in an incomparably short space of

time the most chaotic materials to something like cohesion and order. We are well aware that, in attempting to do justice to the Governor-General's character and policy, we shall have to differ with many worthy persons in Canada whose interest and feelings have been crossed in the onward march of his government; but these will, we trust, do us the justice to believe, that while we are prepared to defend the full exercise of strong executive power in the extraordinary condition to which the Canadas were reduced, we have neither the information necessary, nor the wish, to vindicate every act of authority, or every measure of the Government; and that, while we approve in the broad outline the general bearing of Lord Sydenham's policy, no man in the colonies more sincerely mourns over the deplorable events, the gross blunders of rulers and people, which left no alternative but vigorous measures, or the separation of these colonies from the British crown. To those who raise the cry that Lord Sydenham has subsidised the press, we would merely say, that he acquired his influence over ours by means which reflect no discredit upon his character nor upon our independence. By the exhibition, throughout our personal intercourse with him, of talent which we had rarely seen possessed by colonial governors, he won our respect; by a course of invariable frankness, courtesy, and justice towards ourselves, and by his gallant bearing in the midst of trials which might well have put the highest qualities of statesmanship to the proof, that sentiment has been, perhaps, deepened into something like personal attachment; and while we feel conscious that no power he possesses could compel us to an act of political subserviency, we are happy to be able to prove that all the malignity of his enemies cannot prevent us from expressing, after the closest observation of his career, and while power is passing from him, our almost unqualified approval of his Canadian administration. It is in the highest degree gratifying to us, who, since his visit to Nova Scotia have expressed full confidence in his

views, and done our best to strengthen his hands, to find that those who petitioned against and denounced his appointment, and who, both here and elsewhere, have never ceased to misrepresent his acts and foretel his failure, have been covered with mortification and disappointment, that almost every act of his government has been crowned with success, and that the more important objects of his mission have been completely accomplished.

In order to understand the value of the service which Lord Sydenham has rendered to her Majesty and to British America, it is necessary to recal for a moment the state of things which his lordship had to encounter. Did he succeed to political inheritance, so wisely husbanded, and so fairly established, that even bad management could scarcely lessen its value or disturb the security of the possession? Did he take the helm of state when the vessel was tight and sound, with perfect instruments, a fair wind, a clear sky, and a crew well disciplined and well disposed? Was not the estate wasted by years of bad management, until the tenants were at war with the landlord or with each other, and even the title of the property was drawn into angry controversy? Was not the ship tempest-tost, shattered, and almost unseaworthy, with ignorant vacillation or eccentric severity on deck, and mutiny below, without an instrument that could be relied upon, or a blue spot in the heavens to admit of an observation? The state of Canada when Lord Sydenham assumed the government might well have appalled any man not desirous to wreck his reputation. A long course of maladministration, or, rather, of administration often well meant, but based upon no principle which the people could understand or respect, had prepared the way for open insurrection, and aroused foreign interference in both provinces, to be followed by the suspension of the constitution, and the establishment of despotism in the one, and in the other by a state of things which, perhaps, was a great deal worse; the forms of civil government being retained, but affording rather a

shelter from which a fragment of the population might insult and annoy the remainder, than any real protection to the people. Lord Durham's mission, although of immense value, because it laid bare the real causes which convulsed Canada, and shadowed forth the remedies, had been so brief, so disastrous, so unproductive of practical results within the country itself, that, however invaluable that volume in which the experience and principle of his lordship and his able coadjutors was embodied might have been—and no man estimates the report more highly than we do—still, until reduced to practice, it was but a book, a theory, the value of which the enemies of colonial freedom might altogether deny, and which its fondest admirers might well be excused for doubting, until experience had demonstrated the applicability of the new principles to the exigencies of colonial society. The task of consummating the union which Lord Durham had pronounced to be indispensable, of grappling with those evils which he had fully exposed, and of applying the principles of representative government indicated in his report, devolved then upon Lord Sydenham; and it is rare that a statesman so firm, so sagacious, and indefatigable follows in the wake of a projector so bold. He left the shores of England under no very favourable auspices. The timber merchants of London had denounced him, and the cue was taken up by their dependants and correspondents in the colonies; the Tories viewed him with suspicion, and the Liberals who had embraced Lord Durham's theory feared that he would be less liberal, and might not carry it out. When he arrived in Canada the country was boiling with strong passions. The murders of Weir and Chartrand; the burnings of St. Charles and St. Eustache; the courts martial and military executions; the border invasions and incendiarism, with the marches of troops and the raids of Glengarries,—were all so fresh in the minds of a population who had recently passed through scenes so deplorably exciting, that there might be said to be few families

which had not cause of mourning for some injury done or loss sustained, or in whose circle some strong personal antipathy or political predilection did not almost overpower respect for the law, and smother the better feelings of our nature. In both provinces the mass of the population were denounced as disloyal; and while one of the parties who had invoked the bayonet held it to be the only safe instrument of government, the other sullenly and sulkily kept aloof, lending no cordial support to legitimate authority, as though biding its time to excite fresh trouble and produce additional embarrassment. Property was depreciated; business unsafe; and the tide of emigration setting from, instead of to, the provinces. We think that no man will deny that this is a faithful picture of the state of Canada when Lord Sydenham landed at Quebec. That the country presents a very different aspect now, we believe to be equally undeniable; and although there is a vast deal yet to be done, we can scarcely — contrasting Canada as it was two years ago and as it is — believe that in so short a time so much has been accomplished.

Lord Sydenham's first care was to endeavour to calm the excited feelings of all parties, to satisfy the disloyal that it was in vain to attempt to uproot the Queen's authority, and to assure those who had loyalty in excess that that authority was quite sufficient for their protection. This done, his next task, and a difficult one, was to call around him a Special Council, and frame a body of ordinances to meet the present necessities of the Lower Province, in which there had been a total lapse of legislation, and where martial law had for years taken the place of the ordinary law of the land. He had then to meet the assembled Legislature of the Upper Province; and here one of his chief difficulties arose, from the strong conviction that must have forced itself upon him, and which the sequel proved, that the House — although to dissolve it would have been hazardous — did not truly represent the people. His position in the Upper Province for a long

time called for the exercise of the utmost prudence and circumspection. The Reformers distrusted him because he denounced responsible government by that name, and the Tories began to suspect that his mode of administering representative government was wide as the poles asunder from that which had obtained under the reign of the Compacts. In spite of all the obstacles which beset him, he succeeded in carrying the Union Bill and several other important measures through both branches of the Legislature in the Upper Province, and through the Special Council.

These measures passed, an anxious period succeeded, in which they were to be reviewed by both Houses of Parliament. No man who knew what that ordeal was, who felt how deeply the peace of Canada and his own reputation were committed, and who had Lord Durham's recent experience of the inconsiderate violence of English party warfare before him, could have slept on a bed of roses from the time that the Union Bill and Ordinances crossed the Atlantic until they returned, sanctioned by the highest authority in the realm. A part of this interval was spent by Lord Sydenham in visiting Nova Scotia, and conducting the investigation into her affairs which led to the entire change of that disastrous policy, and the repudiation of those principles which had for years embroiled the people with their government, and brought, at last, the legislature and the executive into open and violent collision.

The Union Bill having been sanctioned, then came the period of its proclamation, — of the arrangement of the electoral districts, — and of the return of the members of the first Parliament. This was a season of much labour and of intense anxiety, drawing upon the Governor-General's firmness, sagacity, and knowledge of the country almost every hour. Whether the charge of direct interference in elections be well founded or not, and it appears to rest upon slight evidence, one thing is very clear, that a person situated as his lordship was who could be indif-

ferent to the course of the elections, and who did not take every proper precaution to secure a working majority disposed to support him, and give the Union Bill a trial, must have been lamentably deficient in common sense and practical statesmanship. There was, in fact, no alternative but to secure his majority, or throw aside all that had been done, and go back to the old evils, to be followed by fresh outbreaks, and a further resort to the bayonet. We are far from approving of any open violence in the conduct of the elections; but we do think that it would have been most unwise for the Governor-General, having the power in his hands to change and alter the electoral divisions, to leave the franchise so distributed as to render certain, or even at all probable, the return of a body of men who would have voted the Union Act a nullity, repealed his ordinances, and, perhaps, commenced anew that course of obstructive policy which had ended in open insurrection, and the establishment of arbitrary power.

(*From the same.*)

It becomes our melancholy duty to turn from tracing the beneficial effects of Lord Sydenham's administration to record the particulars of his death and burial. A great man has gone down into the tomb, and we must be occupied for a time with his obsequies, reserving for some more fitting opportunity the less painful task of discussing his measures and explaining his policy. The news of Lord Sydenham's death did not much surprise us. It seemed to us from the first almost a necessary result of an accident so severe operating upon a frame so delicate. We were disposed to hope almost against hope; for we could not bear the thought that a man so young, with a mind so active, was to pass so suddenly from the elevated sphere to which he had attained, that all his information and experience was to be lost to the legislative body in which he was soon to have taken his seat, and to the governments to which, no matter what their politics, it would have been

freely imparted. Our fears rather than our hopes were to be realised. Lord Sydenham is no more; but it is satisfactory to find, now that there is nothing to be gained or lost by the free expression of opinion, that almost every Canadian paper speaks of his lordship in terms even more respectful and complimentary than those we employed last week.

It must be highly gratifying to the great body of the people of Nova Scotia, who have nobly seconded Lord Sydenham in his efforts to regenerate their country, to find how universal the testimony is to his worth, and how many there now are compelled to praise who did not so early appreciate his character, nor so cordially assist him.

APPENDIX III.

MESSAGE OF THE GOVERNOR-GENERAL TO THE HOUSE OF ASSEMBLY ON THE SUBJECT OF PUBLIC IMPROVEMENTS.

[20th August, 1841.]

SYDENHAM.

In pursuance of the declaration contained in his Speech from the Throne, the Governor-General solicits the attention of the House of Assembly to the Public Improvements which it may be desirable to carry into effect within the Province, and to the means by which these works may be safely and successfully undertaken.

It has appeared to the Governor-General of great importance that Parliament, as well as the Executive, should have distinctly brought before them, in one general plan, the whole of the different Works which are demanded by the public voice, and appear likely to tend to the increase of trade, and to the advantage of the country. Such works as the Legislature shall decide upon adopting may thus be conducted upon one uniform system — having reference as well to each particular work as to the whole; and great advantages will result, both as regards their execution and in making provision for the funds necessary for the undertaking.

The Governor-General accordingly directed a Report to be prepared upon the subject by the President of the Board of Works; and that Department having now been established by law for the whole Province, he transmits this document for the consideration of the House of Assembly.

This Report will be found to embrace all the great improvements which appear at all desirable for some time to come, or that afford promise of rendering a return for the capital to be expended upon them; viz.

The completion of the Welland Canal — The opening the communication between Kiugston and Montreal, by the River St. Lawrence, for Schooners and Steam-boats — The improvement of Lake St. Peter, and the navigation between Quebec and Montreal for vessels of large burthen — Opening the River Richelieu, so as to perfect the navigation through that river by the Chambly Canal — The construction of Slides for Timber, and other works on the Ottawa — The improvement of the Inland Waters of the Newcastle District — The construction of a Port and Light Houses on Lake Erie, and the improvement of Burlington Bay Harbour — The establishment or improvement of great lines of Road from Quebec to Amherstburgh and Port Sarnia, from Toronto to Lake Huron, and between Quebec and the Eastern Townships — and the improvement of the Metis Road, and of the communications near the Bay of Chaleurs.

The total cost of all these works thus enumerated would involve an expenditure of about 1,470,000*l.* Provincial Sterling, to be spread over a period of five years necessary for their completion.

Whether the whole or any part of these works shall be decided upon by Parliament, it is clear that in the present Financial state of the Province, whatever is required for their construction must be provided by drawing on the Public credit.

The statement of the Provincial receipt and expenditure, submitted to Parliament, although exhibiting, after the payment of the charges for the public service, a considerable surplus in proportion to the revenue, affords nothing from which, as capital, the cost of works of any importance can be defrayed.

Parliament must therefore provide the means for raising the Capital required for the execution of those Public Works which it may determine to adopt, and at the same time afford such security as may be necessary for the annual interest upon the money to be borrowed, as well as

for the gradual extinction of the debt, until the works themselves become productive.

If the whole of the Works specified in the Report are determined upon, the charge for interest upon the total sum required, calculated at the rate of interest usual in this Province, would be between 80,000*l.* and 90,000*l.*— a charge which it would be difficult to impose at once upon the country.

Means however exist by which such an increase of the charge upon the Revenue of the Province may be materially reduced, whilst the Capital itself may notwithstanding be provided.

The reduction of the interest of the Public debt through the assistance to be afforded by the Imperial Parliament will probably reduce the present charges upon the Provincial Revenue by a sum of between 15,000*l.* and 20,000*l.* per annum, which will thus become available security for any fresh loan. There will remain, after effecting this conversion, a surplus of from 250,000*l.* to 300,000*l.*, still farther to be raised under the Imperial guarantee at a low rate of interest, by which an additional saving will be effected of about 6,000*l.* a year.

A very considerable amount of the Capital required might be raised without any charge whatever for interest, by the assumption by the province of the issue of paper, payable on demand, which is now enjoyed by the private Banks, or by individuals, without their being subjected to any charge whatever in return for the power thus accorded them by the State. If that power were resumed to the fullest extent, a capital representing a revenue of not less than 35,000*l.* a year might be provided. But even under such arrangement as would afford great advantages to the various Banks at present issuing paper, as a compensation for their being in future deprived of that power, a revenue of not less than 15,000*l.* or 20,000*l.* might safely be relied on.

The union of the two provinces has now placed within

the control of the Parliament the regulation of the Customs Duties, which under the separate Legislatures was attended with so much difficulty, and a wise and prudent re-adjustment of some of those duties will render the revenue far more productive than at present, and easily furnish, without any injury to the trade of the country, or any pressure on the People, what may be further required to provide for the remaining charge.

There is also one of the works to which, although great importance is justly attached to it, it will, in the opinion of the Governor-General be just, as well as possible, to affix a condition by which the annual charge above submitted for the whole may be diminished—The navigation of the St. Lawrence involves the expenditure of nearly one half of the whole sum calculated on. That work is undoubtedly highly desirable — but it scarcely justifies so great an expenditure at present, unless some diminution of the annual charge for interest upon the sum to be raised can be obtained. Nor is such a diminution to be unhoped for. Many Capitalists in England are interested in the promotion of this work, and especially in seeing the communication between Lake St. Louis and Lake St. Francis established on the Southern side of the River St. Lawrence. The Governor-General has reason to expect that assistance will be afforded upon this condition — and he would not therefore recommend that this undertaking should be sanctioned, unless as a condition, the greater part of the capital required for it can be raised at a low rate of interest, not much exceeding that which the province would have to support for such part of its debt as will be guaranteed by England.

Entertaining these opinions, the Governor-General has therefore directed measures to be submitted to the House of Assembly embodying them, which he recommends to their favourable consideration.

However large the expenditure may appear, to which the improvements recommended by the Board of Works

will amount, the Governor-General feels that it is his duty, looking to their vast importance, to submit them to the judgment of the Country, and a measure will therefore be presented to the House which comprises the whole of them.

If they are undertaken, it is no less the bounden duty of Parliament and of the Executive Government, to take care that means sufficient for their completion are provided, and that the credit of the Province shall be sustained in any engagements which are rendered necessary for raising funds for that purpose. He has therefore directed that, simultaneously with the proposal for the works themselves, measures should be submitted to the Assembly for the conversion of the debt—for the establishment of a Bank, and for the regulation of the Customs —and he desires to express his anxious wish to concur with the Assembly in whatever decision they may arrive at, by which objects of so much importance to the welfare of the Province may be obtained consistently with that due regard to the interests of the People, to Public Credit, and to the maintenance of engagements, without which it would be alike unjust and impolitic to attempt to carry them into execution.

Kingston, August 20th, 1841.

The Message was accompanied by memoranda respecting the various public works here recommended, showing the ultimate cost of their completion, and the amount of the appropriations proposed to be appointed thereto for the several years respectively, prepared and submitted for the consideration of His Excellency the Governor-General by Mr. Hamilton Killaly, Chairman of the Board of Works.

APPENDIX IV.

MEMORANDUM ON THE PAPER CURRENCY SUGGESTED FOR CANADA, BY LORD SYDENHAM.

THE questions of the standard and of the currency must be considered.

The standard is different in Upper and in Lower Canada, and it is desirable to assimilate them, which may be done either by simply raising the standard of Upper Canada, or *vice versâ*, or by adopting a new standard generally for the whole province. The latter plan might be the best; and the course which was followed lately in the West Indies, the details of which are in the possession of the Government, may be adopted, or what would be preferable, if it were possible, a dollar standard might be taken.

It does not, however, appear absolutely necessary to make application to the legislature upon the point of standard, as I apprehend that it should be regulated under the prerogative, by order of the Council at home, as was done in the case of the West Indies. This, however, must be considered.

But the question of currency, namely, of the issue of paper money representing coin, is one the settlement of which admits of no delay.

The charters of the banks of Lower Canada expire at the end of this session, and application will be made for their renewal. The charters of the Upper Canada banks are near their expiration also, with one exception, and all these banks even are applying for additional powers, either to extend their term or increase their capital.

It is absolutely necessary, therefore, that the principle upon which the issue of paper money, payable on demand, shall be conducted should be decided at present; and this may be done in one of two ways. First, by intrusting

to private individuals or to joint stock companies, under charter, the power to issue, subject to certain regulations. Secondly, by the State keeping in its own hands that power, and establishing a bank of issue, upon fixed principles determined by the legislature.

The evils attending the first system are various. Legislation must be conducted on this subject, not with a view to good and sound banks properly managed, but in order to control the possible abuse of the powers granted by ill-conducted banks, and to avert the mischief which their operations necessarily produce on society; and it is next to impossible to devise any conditions by which this can be effected.

The Treasury with this intent have laid down certain rules and conditions, to be observed as a *sine quâ non* to a consent of the crown to any new charters or the renewal of the old ones. These conditions cramp materially the action of the chartered banks, and are loudly complained of, as was seen last year in the discussion upon the renewal of the charter of the Upper Canada bank and others, especially that provision which determines that no notes under four dollars shall be issued. Yet even these provisions are utterly inadequate to the ends sought, namely, the establishment of a sound paper currency, convertible at all times, regulating itself with reference to the real demands of the country, and not exposing the value of every man's property to be suddenly increased or diminished by fluctuations arising from over-issue at one time, and rapid contraction at another. No conditions of any kind can prevent numerous banks of issue in competition one with another, and in great ignorance of each other's proceedings, from at one time flooding the country with paper, and at another being compelled, if their notes are made convertible, suddenly to withdraw all accommodation, and reduce the general circulation far below its natural limits. No conditions can effect this, even though the number of banks of issue to be chartered were very much

confined; but it would also be found impossible so to limit them, especially in a country like this. The legislature would never be able to refuse a charter to a bank at London, at Sandwich, at Perth, or in any small district, upon the ground, either of their capital being too small, or the wants of the district not requiring such an establishment. If they complied with the conditions of a certain proportion of notes to capital, or of bullion to notes, which might be laid down as generally applicable, there would appear to be no reason whatever for refusing their demand. The adoption of the principle of confiding the issue of paper money, payable on demand, to chartered banks, must, therefore, necessarily lead to a vast extension of those establishments, mismanaged no doubt in a greater degree as their numbers increase; and no security whatever could be afforded that in the course of a few years we shall not arrive at the state of things we have seen in the neighbouring States. It can hardly be supposed, either that the State should consent, if called upon to adopt this principle, and devolve upon individuals the sovereign power of coining, to do so without obtaining at least some return for its own advantage. In England, where this system has been partially followed, as relates to country banks, and where the exclusive privilege of issue within certain local limits is given to the Bank of England, a price is paid for it in the shape of stamp duties upon the notes issued, and a very considerable revenue is received by the country in return for the power of which it thus divests itself. Here this has not been the case; but it can scarcely be expected that the State will again consent to make so large a sacrifice as would be implied by pursuing the old plan. If it be deemed necessary to continue the system of issue by joint stock banks, it is clear that they ought to contribute at least some portion of that profit which the State would itself make by reserving the power in its own hands. Yet even this arrangement, although it would benefit the public purse, and greatly

diminish the desire of banks to continue their issues (as has been found to be the case in England, where numerous joint stock banks, having the power of issue, have found it the best policy to repudiate it, and to use the notes of the Bank of England, confining themselves to the real business of banks of deposit), all the other inconveniences and disadvantages of such a system would remain unremedied. It is most desirable, therefore, to adopt the second system which has been alluded to, and this country affords greater inducements for doing so than are to be found in any other in the world, whilst the time is equally propitious.

First, there can be no doubt that under such a system as will be proposed upon this principle, in the course of a very short time, it is probable that a large proportion of the circulating medium of paper in those States of the Union which border upon Canada would be supplied by the notes of such a bank.

Secondly, as nearly all the charters of existing banks of issue are expiring, the way is open for such a change without any injustice to individuals or bodies of men.

The plan suggested would be the establishment of a Provincial Bank for issue only, under the direction of three Commissioners, acting upon fixed rules laid down in the Act.

A prohibition of the issue of all notes payable on demand by any but the Provincial Bank.

The Provincial Bank to issue a given amount of notes of any denomination not less than one dollar, and after that amount to issue further notes only upon bullion or coin, or in redemption of its own notes, if by desire of the holder.

N.B. It may be assumed that the average circulation of Canada is at the present time in notes about 1,000,000*l.*

This then may be taken as the amount which might safely be issued, provided a reserve of bullion or coin were kept against it to the extent of 250,000*l.* It would not

be possible for the circulation to be reduced below that difference, say 750,000*l.*, without such a fall of prices as must inevitably bring in bullion, and again extend the paper circulation. If the million were found inadequate to the wants of the country, as it probably would in a short time, the fact would be made apparent by notes being demanded of the bank in return for bullion over and above that sum. The bullion or coin being thus increased, and the proportion which it bore to the paper in circulation thus greatly augmented, it would become manifest that a larger amount than the million might be kept in permanent circulation, and that at the end of one or two years, when this might happen, the fixed amount might be varied by the legislature: 1,500,000*l.* or 2,000,000*l.* might be issued as that amount, with only a reservation of bullion equal to one fourth, as in the first instance.

One fourth then of the given amount to be invested in bullion or coin.

The other three fourths to be employed in public works under the authority of Parliament, or in redemption of the provincial debt.

Powers to be provided to enable the Provincial Bank either to establish branches at the three great cities, for the exchange of its notes for bullion or coin, or to make arrangements with banks of deposit there for the use of its notes, on condition of their doing this duty for it.

A prohibition on the Commissioners from engaging in any transaction of the character of a bank of deposit, and strictly confining them to the issue of notes for bullion or coin, or in exchange for their own notes.

The advantages of such a system would be the following. First, a paper currency would be established perfectly secure of convertibility into the value which it represented. It would be subject to no fluctuations except those which the greater or less amount of the real transactions of the country demanding a circulation imposed on it. It would effectually prevent all those most injurious fluctuations in

the value of every man's property which arise from the over-issues and sudden contractions necessarily attending the issue of paper by a number of conflicting bodies.

Secondly, The whole profit of the issue, in other words of the power of coining a cheap currency, would belong to the State; at the lowest calculation equal to 30,000*l.* or 35,000*l.* a year, and capable, for the reasons above stated, of increasing to double or treble that amount.

Thirdly, a large sum, not less than 750,000*l.*, would be at once placed at the disposal of the State for the prosecution of public works, without the necessity of going into the money market to borrow, and thus increasing the rate of interest which the Province would have to pay for the large loans it may be called upon to contract.

Draft of Resolutions to be proposed to the House of Assembly of Canada relative to the Currency.

1. That it is expedient that a Provincial Bank of Issue, under the management of commissioners, be established by legislative enactment, to which shall be confided the sole power of issuing paper payable on demand.

2. That the Bank shall issue notes of 1 dollar and upwards to the extent of 1,000,000*l.* currency, and no more, until otherwise provided for by legislative enactment, except in redemption of its own notes, or in exchange for bullion or coin.

3. That the said issue of 1,000,000*l.* shall be made one-fourth against bullion or coin, and three-fourths against government securities, purchased by or paid in to the bank; and that the interest arising from all such securities shall be carried to the public account of the province, after deducting the expense of management, and of any payments specially charged by parliament, as hereinafter provided.

4. That from and after *the* 1*st of March*, 1843, it shall not be lawful for any bank or individual to issue any promissory note made payable on demand.

5. That each of the banks now issuing paper payable on demand throughout the province shall make a return of the average amount of its circulation of such paper during the years 1840 and 1841, and of the amounts of bullion and coin in its coffers during the same period.

6. That to every such bank whose charter would be unexpired on the 1st March, 1843, there be made an allowance by the Bank of 2½ per cent. per annum on the amount of the difference between such circulation and the bullion or coin in its coffers, for the term of years for which such charter shall be unexpired, provided such term exceed ten years; and if such charters have expired, or have less than five years to run after 1843, then for the term of ten years. Each such bank to have deposited government securities approved by the Commissioners, or bullion or coin to the extent of such amount with the bank of issue, having received its notes in exchange.

7. That the charters of banks now in existence in the Province which expire before the 1*st of March*, 1843, be renewed, with power to issue paper payable on demand up to that date, when such power will cease by law; but that any facility for increase of capital, for suing and being sued, for limited liability of shareholders, &c., be given to such banks for such time as they may desire the same, subject only to such cessation of issue.

APPENDIX V.

SPEECH OF MR. C. POULETT THOMSON, IN THE HOUSE OF COMMONS, ON THE 26TH OF MARCH, 1830,

On moving "That a Select Committee be appointed to inquire into the Expediency of making a Revision of the Taxes, so that the means of paying the Sums voted by the House, and all other Charges, may be provided with as little Injury as practicable to the Industry and Improvement of the Country."

MR. LABOUCHERE having postponed a notice, in order to allow precedence to this motion, Mr. Poulett Thomson rose and spoke as follows: —

Sir, — In rising to make the motion of which I have given notice, I have to acknowledge the courtesy of my honourable friend in postponing his very important notice, a courtesy and kindness which I should never have thought of demanding upon personal grounds, but which the vast importance, as well as the nature of the motion which I have the honour of bringing under the consideration of Parliament, may fairly claim; especially when, as I am happy to remark from what has passed in previous debates, the subject has already attracted so much attention. It is painful to me at any time to solicit the indulgence of the House on my own behalf, and that feeling is increased upon the present occasion, when the importance of the subject of which I propose to treat renders me more than usually sensible of my own incompetency to do justice to it, and when I shall be compelled by its nature to trespass upon the patience of my hearers for a more than usual length of time. The deep conviction, however, which I entertain that no subject was ever submitted for deliberation of greater importance than this, whilst it supports me in the task which I have undertaken to perform, gives me ground to hope that I shall not ask in vain for that indulgence, which this House is never backward in extending to those who claim it upon such grounds.

Sir, I am aware that in introducing so large a subject as that of a great part of the taxation of this country to the consideration of Parliament, I may expose myself to the charge of presumption. I may be told, that I am undertaking a task which does not become a member of this House unconnected with official station, and holding no responsible situation; that I am trespassing upon the province of the Right Honourable Gentleman opposite, the Chancellor of the Exchequer, whose immediate duty it is to regulate the financial concerns of the empire; but I trust that the nature of the motion which I have in view will serve to acquit me of such an accusation. I do not venture to propose to the House any plan of financial reform, any positive proposition of change; I am conscious that to do so would not become my situation: all that I shall venture to do will be to endeavour to lay before the House such a statement as I trust may induce it to think that it becomes it to turn its attention seriously to the state of the taxation of the country, to take the matter into its own hands, and through a committee of its own to institute such an inquiry as will lead to relief, if it appear that an alteration in the system can effect any; or, if it shall not, at least satisfy the people that no such relief can be afforded. Neither can I admit, that what has occurred during the last fortnight is any argument why I should relinquish the purpose I have in view, and leave in the hands of Government the inquiry which I propose. On the contrary, although I am fully sensible of the importance of the reductions which have lately been announced, they rather furnish me with an additional motive to persevere: for whilst I give the Government credit for the full value of the sacrifices they have made, I cannot but regret that the principles which were announced by the

Chancellor of the Exchequer in proposing them, to which I entirely assent, should not have been more fully acted upon; and that instead of contenting himself with a mere reduction of taxes, he should not have endeavoured, by a much more extended review of our whole system, to relieve this country to an infinitely greater extent without any greater sacrifice of revenue. The partial adoption, therefore, of measures similar to those which I imagine would be recommended by the committee which I propose, confirms me in the opinion of the propriety of urging its appointment, and at the same time relieves me from the possibility of being suspected of bringing forward this motion from party or interested motives. Far from being actuated by any such feelings, my sincere wish is to support and encourage ministers in the views which they profess to take, and to render them the assistance which I think they require to carry them into effect; I mean the concurrence and the recommendation of a committee of this House: and I may add, that I greatly rejoice that I am able, in introducing the statement which I shall have to submit, showing the extremely injurious nature of a portion of our system of taxation, and the absurdity and unfitness for the end it proposes to have in view of a great part of it, to be able to congratulate the Government upon having admitted the principle, and of having done something at least to remedy the evil.

It seems to me, Sir, that the object of this motion is one which in any times can hardly fail of being a most desirable one. No man will deny that when a revenue is to be raised at all, it should be raised in that manner which will take as little from the pockets of the people, and allow as much of that which is taken to pass into the coffers of the Exchequer as possible; nor will any one assert, I presume, that in any country, and at any time, there can be so perfect a system of finance as to make any inquiry into the mode of collecting the national income needless. Under any circumstances, then, and in any state

of things, such an investigation as I propose to entrust to a committee would be one of the most important, and one of the most useful, which any legislative body could delegate to a portion of its members. But if this be the case, how much more momentous is such an inquiry at the present time, and under the present circumstances? Let any man look impartially upon the condition of this country at the present moment, and say, if he can, that such an inquiry is not imperatively called for, that it is not unavoidably necessary. It is nothing more than an act of justice to those who pay the taxes, and of justification to those who impose them. And how stands public opinion upon the point? It is curious indeed to observe, that there is only one single subject upon which all parties in the country without the least exception are agreed. Whether we look to the petitions on our table, or consult the opinions of public writers, or consider the debates in this House, we shall find a diversity of opinion upon all subjects but one. Some consider a greater reduction of expenditure necessary. Some deem further retrenchment impracticable. Some believe that relief might be afforded by a depreciation of the standard, by an issue of paper money; others condemn such a proposal as the most injurious that could be adopted. Some look to a parliamentary reform as a remedy for our distress. Some are opposed to any change of the kind. Many attribute the sufferings of the people to the system called free trade: the more enlightened and more reasoning part of society reject such an idea as absurd. In short, upon all these subjects a difference of opinion exists. Upon one only, whether you read the language of public opinion conveyed to you through the press, whether you listen to the voice of the people expressed at county meetings, or their prayers brought up to the table of the House, on one subject only is an opinion common to all; and that point is—that the system of taxation requires revision; that our imposts press too heavily upon the productive industry of the country.

I am not one who am prepared to yield obedience to any opinion because it happens to be popular; but when I find one prevailing sentiment upon a subject of deep importance, I feel myself bound — I hold the legislature bound to consider it with more than common attention. I have endeavoured to do so; and all the consideration which I have been able to give — all the investigation which I have been able to make, convince me that the opinion so universally expressed on this subject is not less just than it is general. In explaining the grounds upon which I have come to this conclusion, it is not necessary that I should venture upon any lengthened review of the state of the country. After the protracted debates on this subject which have within these few days occupied the attention of the House, and in which every possible topic connected with it has been discussed, it becomes needless for me to do so. It has scarcely been denied, indeed, by any one, that taxation is one of the main causes of the sufferings under which we labour. The honourable member for Essex, indeed (Mr. Western), has stated his disbelief of this doctrine. He thinks that because a heavier amount of taxation was borne during the war, the present reduced amount may be supported without inconvenience during peace; and his conclusion is (and an erroneous one I believe it to be), that therefore a relief from taxation will not be a remedy for the existing distress. I will not now stop to inquire whether the reduction talked of has been a real or only a nominal one. I will admit, for the sake of argument, that there has been a reduction of our burthens; but admitting this, I differ entirely from the honourable member for Essex, and I am perfectly convinced that the greater weight then pressed less heavily on the industry of the country than the lesser amount does at present. Are there no circumstances to account for this result? Does it follow that because this country sustained greater taxation then, she is now able to support even a diminished pressure? What was our condition

during the war? Was the state of our industry the same? Was it not indeed quite peculiar? Owing to the discoveries of science, to the genius of an Arkwright, a Hargreaves, and a Watt, our industry had been developed in a manner and with a rapidity unparalleled in the history of man. Owing to the unsettled state of the world, the advantage of these discoveries was turned almost exclusively to the benefit of England. Our command of the ocean gave us the monopoly of the commerce of all the universe; our ships were alone the carriers of every nation; our passport alone was respected throughout the globe. There was a depreciation in the standard which rendered our taxation comparatively light; but above all, the same circumstances which gave us the monopoly of improvement and of commerce, not only confined our capital to our own shores — not only prevented it from migrating to seek employment elsewhere, but made England the rallying point, where alone the capital of other countries could find a profitable and secure investment. No wonder if with these advantages we suffered less severely from the pressure of taxation! To the state of this country during the war may be applied with greater truth what was said by Mr. Pitt of its condition during a previous struggle —

"Per damna per cædes, ab ipso
Ducit opes, animumque ferro."

With the peace all these advantages have passed away, and we have to meet the new state of things under the languor to which immense exertion must leave either an individual or a country subject. We enjoy no more the exclusive use of machinery. We possess no longer the monopoly of commerce. Our currency is again at its standard value. We have all the world for competitors in arts, in industry, in improvement. Our prices can no longer regulate, they must follow those of other countries; but above all, not only does the capital of other nations no longer seek investment with us, but our own

may find employment in other parts with equal security and greater advantage. Nor is it our capital only, but the skill, the industry, the intelligence which have been raised at home, which constitute our wealth and form our power, if oppressed here, will emigrate elsewhere; and we have to meet, not the competition of foreign industry alone, but that of our own native soil, transferred to climes where its scope is less controlled, and its exertions less oppressed. This is the danger we have to dread; and how are we to avoid it? I have said that our prices must follow those of other countries; prices, I need scarcely say, are made up of profits, of wages, and of taxation, which falls upon the one or the other. Wages are, I fear, reduced to their necessary rate. Taxation then must fall upon profits, and so it is. We see the rate of profit unduly reduced, and the necessary result must be, that our capital, unable to compete with that of other countries less burthened than our own, will seek employment where it can find it unrestrained. How then can we hope to preserve it, and to support our industry, but by removing or reducing those burthens? If we refuse to do so, we force the capital, the skill, the ingenuity, which we have raised with so much care, to seek another field, where they can put forth their powers unmolested and unimpeded. We sacrifice the natural advantages we possess in our insular position, in our mines of coal and of iron, the acquired advantages of our accumulated capital, our skill, our priority of industry and of art. We must sink in the scale of nations.

Nor is this idle speculation. The history of the world reads us a lesson not to be disdained. No one can have studied this subject even but a little, without being struck with the similarity of the circumstances in which this country is now placed, and those of Holland during the last century. Whoever will take the trouble attentively to peruse that admirable work of M. de Luzac, "La Richesse de la Hollande," will there see the operation of

an erroneous system of taxation on the industry and condition of that country. Holland was formerly situated nearly as we are now. It had emerged from lengthened and expensive wars with a heavy burthen of public debt. It had not a numerous poor, but their place in its expenditure was supplied by the necessity of keeping up the dykes. From the foremost place in commerce and manufactures amongst the nations of the world, its industry declined gradually, but steadily; and by that writer, as by all who have discussed the subject, that decline was accurately traced to one cause — oppressive taxation. So great was the anxiety of the Dutch Government to acquire information on this important subject, that various commissions were appointed for the express purpose: one of the most interesting reports from which was that made by a commission appointed in 1751, in the reign of William IV., from which I shall, with the leave of the House, read the following extract, so applicable does it appear to me to the condition of this country at present. The extract is from a report of a committee appointed to inquire into the best means of amending the commerce of the republic. It says, "The oppressive taxes which have, under various denominations, been imposed on trade, must be placed at the head of all the causes that have co-operated to the prejudice and discouragement of our commerce and manufactures; and it may justly be said that it can only be attributed to that, that the trade of this country has been diverted out of its channel, and transferred to our neighbours, and must daily be still more and more alienated, unless the progress thereof be stopped by some quick and effectual remedy." This was the language of those who inquired most closely into the subject in Holland. Let us at least guard ourselves in time from the chance of being called upon to institute similar inquiries some years hence, and of receiving a similar explanation.

But I may perhaps be told, this is all very true: taxation is clearly an evil: we know it; but we have en-

tered into engagements — we have plighted our faith. It is here that I wish to meet my opponents. I agree with what was said by the honourable member for Callington on a former night, upon the necessity of maintaining inviolably the public faith. I entirely concur with him. I go further; for I should say, although you are oppressed by this heavy responsibility, I am not only ready to maintain that amount of revenue which is requisite to support it, which may be necessary to uphold all establishments conducive to the dignity, safety, and honour of this country; but I am prepared to assert, that under a good system all these burthens may be rendered light, and not only the existing engagements of the country religiously adhered to, but that she may be placed in a situation to make further exertions, if necessary, and wield a greater power than ever she did before.

It is not of the amount of revenue that I complain — it is not of the extent of taxation. It is not the sum of money which passes into your treasury: it is the manner in which you raise it, which checks your industry, destroys your energy, and must leave you at last to ruin and poverty. It is not by the amount of taxation that the injury which it inflicts is to be measured: it is by its effects. It is the incidence of taxation to which we have to look. This is the only standard by which we can measure the taxation of any country; and this has been the concurring opinion of all who have studied the subject. We find it in our own country; we find it in others. I have already referred to the state of Holland; I might appeal to France and Spain. All the writers upon Spain, Ulloa, Usteritz, and others, concur in opinion that the decline of that country was more to be attributed to the imposition of the Alcavala, the most odious tax ever imposed in any country, than to any other circumstance whatever; and the flourishing condition of Catalonia and Valencia, where it did not exist, amply confirms this view. Sully, Vaubanc, Turgot, and others, agree in attributing

the miserable condition of France to the system of taxation more than to any other cause; but to the incidence, and not to the amount. Sully showed, that in order to raise a revenue of 30,000,000 francs, 150,000,000 were actually taken from the people. When M. Turgot came into the administration, he had an exact calculation made of the expense required for keeping up the roads. He found that it would amount to 10,000,000 francs; whilst it appeared that by the system of Corvée the execution of repairs was carried on at an expense of 40,000,000 to the people. Turning to English authorities, I find that on the importance of the incidence of taxation, Adam Smith has the following passage, with which I must trouble the House:—

"Every tax ought to be so contrived as both to take out and keep out of the pockets of the people as little as possible, over and above what it brings into the public treasury of the state. A tax may either take out or keep out of the pockets of the people a great deal more than it brings into the public treasury, in the four following ways: — First, the levying of it may require a greater number of officers, whose salaries may eat up the greater part of the produce of the tax, and whose perquisites may impose another additional tax upon the people. Secondly, it may obstruct the industry of the people, and discourage them from applying to certain branches of business which might give maintenance and employment to great multitudes. While it obliges the people to pay, it may thus diminish, or perhaps destroy, some of the funds which might enable them more easily to do so. Thirdly, by the forfeitures and other penalties which those unfortunate individuals incur who attempt unsuccessfully to evade the tax, it may frequently ruin them, and thereby put an end to the benefit which the community might have received from the employment of their capitals. Fourthly, by subjecting the people to the frequent visits and odious examination of the tax-gatherers, it may expose them to much unne-

cessary trouble, vexation, and oppression; and though vexation is not, strictly speaking, expense, it is certainly equivalent to the expense at which every man would be willing to redeem himself from it."

Let the House but examine our present system, and say how far it agrees in almost every respect with the description of that kind of taxation which Adam Smith so justly deprecates. How are the taxes raised in this country, in which it should be our peculiar care to throw no impediment in the way of the productive employment of our capital and of our labour? Let gentlemen look at the returns upon the table, which show that 6,000,000*l.* of taxes are levied upon raw materials, and upwards of 2,000,000*l.* on your own manufactures.*

Nor is it surprising that our system should be faulty. If any one feel astonishment, let him consult the history of British taxation, and he will cease to entertain any. By far the greater part of our taxes were imposed during a period of excitement and of disturbance, whilst we were struggling for our existence, and only thought how to meet the exigency of the passing hour. In the year 1793 the whole revenue raised was only 17,000,000*l.*, and this amount was carried rapidly in the course of a few years by successive taxation to the enormous sum of 70,000,000*l.* No wonder, then, that true principles should have been lost sight of, and that the system then adopted upon the pressure of the moment should have been faulty in every respect. Let me not be told that Mr. Pitt gave the sanction of his name to such measures: I know he did: but it was in defiance of his own principles, and in contradiction of his own recorded opinions. I know that, yielding to the necessities of the times, urged on by a desire of providing means for a war every year of which he believed would be the last, he departed from the principles which in better times had guided his policy. But it is to those times, from 1783 to 1793, that I would appeal. Were

* See Parl. Pap. 1829, p. 172.

Mr. Pitt now alive, I would call upon him to support my proposition upon the principles which he himself then laid down when he carried those measures into execution, upon which, now that the spirit of party has died away, his fame as a financier (and as a financier only do I speak of him) is acknowledged to rest,—his two great measures, the commutation act and the commercial treaty with France. Fatal, indeed, has it been to this country that events interposed to prevent him from following up such policy as this. But if the sound judgment of Mr. Pitt yielded to the pressure of the great struggle in which we were engaged, no wonder if his successors should have committed similar errors, and that we should see each succeeding Chancellor of the Exchequer wield his power without regard to any principle or any interest. It was reserved, indeed, for Mr. Vansittart to show by his administration the soundness of Swift's remark, that the arithmetic of the exchequer is not like the arithmetic of common life: for him it was reserved to despise the principles of philosophers and statesmen, to disregard the experience of all previous times, and assume as a mathematical proposition that by doubling his rates of duties he would double his revenue. But I shall not stop to blame the minister, and still less to impugn the parliament who could sanction his measures. It is easy, indeed, to believe that the statesman who could gravely propound the astonishing proposition, that the one pound note and a shilling were worth the guinea, which was currently sold at twenty-seven shillings, and the House of Commons which could sanction such a monstrous absurdity, should not have been difficult in coming to an understanding upon other matters of finance as preposterous and as ridiculous. My wish, however, is not to find fault with the minister or with the parliament, but to expose the errors of both, and apply a remedy. It is only necessary, indeed, for the House to make itself acquainted with the subject, to see thepropriety of reviewing it. The manner

in which, in the days to which I allude, taxation was treated is truly ludicrous. The legislature seemed to treat taxes as an amusing game; and the House will scarcely believe the various changes, the tricks, the experiments of all kinds to which, in the course of a few years, the taxation of the most important articles of our consumption have been repeatedly subjected. Let me just state a few of them. I find that the tax upon tobacco, one of the most important articles of revenue during thirty-five years, from 1789 to 1825, has been changed eight times. It was once 350 per cent.; it was let down to 200 per cent.; it was raised again to 1200 per cent.; and let down again to 800 per cent. Wine, during the same period, was changed ten different times in England, eleven in Ireland. Foreign spirits in twenty years were altered eleven times; sugar in thirty years seventeen times; tea seven times; and glass five times. Surely here we have proof that our taxation has been imposed without much consideration, and upon no very definite principles. This is what I propose to consider. In proceeding to state my views, and the course which I should recommend to be taken, I shall I fear have to enter into a detail of figures, which I trust the House will pardon; but it is by figures and by facts that this question must be decided, and not by rounded periods or by eloquent sentences.

I propose to divide the taxes, which I shall have to consider, into two branches. First, those which press most injuriously on the raw materials used in our manufactures or on the manufactures themselves, and which ought to be repealed altogether; and, secondly, the class of taxation which is the principal object of my motion, and to which I wish to call the particular attention of the House, — those taxes of which the rates are far too high, and a great reduction in which will, I shall be able I hope to show, be followed by no reduction whatever of revenue.

I begin then, Sir, with the taxes upon such articles as I consider in the light of raw materials or manufactures, and which press hard upon the industry of the country; many of them unfit to be objects of taxation at all, in my judgment; and others exposed to such obnoxious, and harassing, and expensive regulations as to make them, in a national point of view, not worth the trouble and expense of collecting. I shall instance but a few, but these the most injurious. To begin with timber. The nett revenue from that is about 1,500,000*l.*; an enormous sum to be levied on an article which necessarily enters into our buildings, our ships, and must be of first necessity in the industry of the country. But I do not find fault with its amount: my objection is to the manner in which it is imposed. By the papers laid upon the table of the House it is clearly shown that by our impolitic exclusion of the timber of the Baltic, except at a scale of duty amounting almost to a prohibition, we tax the consumers of this country to the extent of 1,500,000*l.* more for the supposed benefit of a particular class, but which is in reality as much a dead loss to the country as if it were thrown into the sea.* Nor is this the only evil; for whilst you force the consumer to pay an exorbitant price, you make him take an inferior article, quite unfitted for the purposes for which he requires it. This is one of the blessings we owe to Mr. Vansittart's administration, who by his proceedings in 1809, 1810, and 1813, on the vain pretext of ensuring a supply and rendering us independent of foreign aid, imposed this tax upon the country, forced a bad article upon the consumer, and destroyed a trade which gave employment, in 1809, to no less than 428,000 tons of British shipping, or one fourth of the commercial navy of the kingdom.† I shall not, however, dwell upon this article, because I am aware that there are political considerations, however futile in my opinion they may be,

* See Parl. Pap. 1828.

† See Lords' Report on Foreign Trade.

which are involved in its discussion, and because the subject is of such magnitude, and of such importance, as to be worthy of a separate discussion; and I cannot believe that it will not soon obtain one. I shall only affirm my belief, that by changing the system, by reopening the trade to the Baltic, you have it in your power to relieve the consumer to a great extent, and to increase your revenue at least one half.

The next article to which I come involves purely financial considerations. It is hemp; the duty on which amounts to only about 70,000*l.* The rate is about 4*l.* 13*s.* per ton, or about 16 per cent. The House will recollect that I last year called their attention to this subject. The duty levied on this article is at once the most absurd and the most monstrous of any in your customs; for whilst you tax an article in its raw state, not produced at home, of the first necessity for the greatest interest of this country, your marine, you admit it in a manufactured form to be used in your shipping, if purchased and manufactured abroad. You hold out a premium to the manufacturers of foreign countries, whilst you deny to your own even an equality of position as regards the raw material, which might give them a chance of fair competition. This is indeed breaking not only every sound principle, but even those principles which have hitherto guided your policy, and the result, I need scarcely add, has fully proved the wisdom of your law; your marine suffers, your importation has declined one half, and your own manufacturers are ruined.

I come next to soap, the gross duty on which I find to be, in 1828, the last year I have an account of, 1,414,954*l.*; the nett only 1,210,754*l.* The duty on hard soap (and the revenue on soft soap is next to nothing) is 3*d.* per lb., or 110 to 130 per cent., or in some cases even more. This is a large sum, and I must fairly own that I do not think it at all an unfit object of revenue. But it is clear that the duty is far too high to answer the

purpose, and the regulations for collecting it lead to frauds of the grossest description. There is no duty in Ireland, and it is notorious that a large quantity of soap is smuggled back again from that country into England. There is no fixed rule for the collection of the revenue: there are no less than seven different modes of levying it: in London there is one way, in Liverpool another, in Hull a third, and so on. This is meant to avoid fraud, and the result is to invite it, and of course to harass the fair trader. I know of two houses who avail themselves of some of the existing regulations to carry on an extensive business entirely with the capital of the government. I will shortly explain how. There is a drawback on the exportation of soap to Ireland, which is paid immediately, whilst the duty is not required until the expiration of six weeks from the manufacture of the soap. Two houses in Liverpool, exporting their soap to Ireland, immediately after it is made receive their drawback, which exceeds in amount the value of the soap, and which they have not to pay in the shape of duty for nearly five weeks, during which time therefore they hold in their hands the capital of the government, and actually trade with it. But there is no end to the various frauds which arise under this system. I should tire the House were I to enter into a further detail of them. I will only remark, that I am satisfied if the duty be reduced to 60 or 70 per cent. at the outside, if it be levied equally over the United Kingdom, and, above all, if the regulations be simplified, your revenue would rather increase than diminish.

But if I pass by this duty so easily, I cannot do so with the next article I come to, one which enters largely into the manufacture of soap, barilla, the duty on which was, in 1828, 59,249*l.*; at a rate, in spite of late reductions, of 100 per cent. That duty was avowedly imposed for the exclusive benefit of a few families in Scotland, who vainly hoped to protect the manufacture of kelp. This plan has completely failed: for whilst the manu-

facturer has been oppressed, the producer of kelp has quite lost his market, since he has been met by the introduction of a factitious alkali, or what is called soude factice, which has completely undersold him. Is it to be borne that, for the sake of protecting nominally a few individuals, or to raise such a miserable duty, you should oppress one of your most important branches of manufacture?

I may be told perhaps that this is a trifle. Not so, however, is the next article to which I shall allude; that of sea-borne coals, the nett duty on which, in 1828, amounted to 833,072*l.* It is quite impossible to justify the continuation of this tax for one hour. Since its imposition circumstances have entirely changed; and whoever will refer to the debates which took place so often upon this subject, will find that the grounds on which it was defended are completely different from those of the present day. At the various periods at which this duty was imposed, — for instance, during the early periods of the war, — coals were principally used for fuel; and although the tax fell heavily on individuals, and affected their comforts, it did not operate on the manufactures of the country. But now, when that article has become so important in this respect, is it politic, is it just, to compel manufacturers to establish themselves in inland parts, where they can obtain coals at a cheap rate, and to prevent them from fixing their works on the coast or in the capital? On what principle of equity or of justice can you call on the manufacturer of Norwich or of London to pay a duty on an article from which you exempt his neighbour at Manchester or at Paisley? Whoever will inquire but briefly into this subject, will see the injurious effects of this duty. In the glass manufacture, for example, it has completely driven the manufacturer of the metropolis from the coarser to the finer kind of goods. Under the general use of steam-power, which prevails more or less through every branch of industry, it must seriously injure almost every manufacturer who comes within its operations. It is, I

maintain, utterly indefensible; and I should propose its removal with as little delay as may be.

I shall not trouble the House with any more remarks upon the taxes on raw materials. I hold in my hand a list of 207, many of which could, in my opinion, be most advantageously dispensed with, and others essentially reduced; but I shall call its attention to the taxes on those articles of manufacturing industry which are peculiarly oppressive, and peculiarly deserving of inquiry — I allude to those on glass, paper, and printed calicoes.

The gross duty on glass for the year 1828 amounted, in Great Britain (I exclude Ireland, as it is a mere trifle, only 20,000*l.*, and has been lately imposed), to 953,257*l.*; the nett duty to 577,725*l.*, the difference being either returned or sacrificed in the collection. And here I would entreat the House to remark, that, for the sake of such a sum as half a million, a charge of collection on nearly a million is incurred. The duty is 6*d.* per lb. on flint, but equal to 7*d.* from the mode of its collection — in other words, upwards of 100 per cent.; the glass, when made, selling for 1*s.* to 1*s.* 2*d.* This, too, is a very much reduced duty from what it was: and here the House will observe an admirable illustration of the effect of heavy duties on consumption, and consequently on revenue. In 1794, the last year in which the duty was 21*s.* 5*d.* per cwt. for plate and flint, and other kinds in proportion, the quantities paying duty were as follows: —

Flint and Plate.	Broad.	Crown.	Bottle.
Cwt. 67,615	20,607	83,940	227,476

The duties were successively raised to 49*s.*; and at last by Mr. Vansittart, in pursuit of his favourite theory, in 1813, to 98*s.*! And let us see the result: in 1816 the consumption had declined to

Flint and Plate.	Broad.	Crown.	Bottle.
Cwt. 29,600	6,140	55,502	155,595

In 1825, Government saw a part of their error, and re-

duced the duty by one half, still leaving it too high. But mark the effect: in 1828, the last year for which I have the returns, the consumption rose to

Flint and Plate.	Broad.	Crown.	Bottle.
Cwt. 68,134	6,956	90,603	224,864

Still, however, only about the same as in 1794. It appears, therefore, that, notwithstanding the increase of population and general luxury, the consumption has been kept down by your improvident system, and is actually now less than it was five-and-thirty years ago. But here again the duty is far from being the greatest evil. Let any one turn to the Act, he will find thirty-two clauses of regulations, penalties, prohibitions, all vexatious to the manufacturer, and all to be paid for by the public. I have said that the duty on flint glass is 6*d.* per lb., the glass when made selling for 1*s.* But the excise officer has the power of imposing the duty either when the glass is in the pot at 3*d.* per lb., or after it has been turned out at 6*d.*; the glass when turned out gaining 100 per cent. It is found more advantageous to the revenue to exact the duty on glass in the pot at 3*d.*; and in this way the duty is raised to 7*d.* Nor is this all: the manufacturer is driven by this method into the necessity of producing frequently an article which he does not want. He makes the fine glass from the middle, the coarser from the top and bottom of the pot. He frequently wants only fine glass, and he would remelt the flux of the coarser parts if he had not paid duty upon it; but of course he is unable to do so. All the glass manufacturers whom I have consulted agree that the whole cost of the excise to the consumer, besides the duty, which is 100 per cent., is 25 per cent.; and besides, there is great inconvenience and oppression from the frauds which are daily taking place. And observe the effect which is produced upon your trade both at home and abroad.

A manufacturer, who has lately travelled through France, the Netherlands, and Germany, has assured me,

that our manufacturers could advantageously cope with foreigners, were it not for the duties imposed by the government. Labour is as cheap in this country, our ingenuity is greater, and materials are also as cheap; it is, then, the vexatious, onerous duty alone, that gives the foreign manufacturer the advantage over the English. But the effect of the duty goes further; it operates to prevent all improvement in the article, because, to improve, experiments must be made; but a man, with a duty of 125 per cent. over his head, is not very likely to make many experiments. This argument applies especially with respect to colours. A manufacturer has assured me that he has never been able to produce a beautiful red, because the duties have prevented his trying the necessary experiments without his incurring a great risk or loss. Thus a miserable duty, amounting to only 500,000*l.*, and upon which a charge of 10 per cent. is made for collecting, is allowed to impede our native industry, to put a stop to all improvement, and be a source of endless oppression and fraud. I really cannot believe that the Legislature will resist such an appeal as the manufacturers of this article could make to them, or refuse to relieve them from the gratuitous injury which is inflicted on them.

I now come to the duties levied on paper, the gross produce of which for 1828, (Ireland again excluded, where the duty only amounts to 23,900*l.*) I find to be 743,422*l.*, the nett amount 699,544*l.*; from which the charge of collection remains to be deducted. The duty is on some kinds of paper 1½*d.*, on others 2¼*d.*, on others 3*d.* per lb., varying from 50 to 150 per cent. on the different kinds of paper! Surely I need scarcely press upon the House the utter impolicy of taxing to such an extent an article of such infinite importance to this country. It is, in fact, a tax upon science, upon knowledge, on the diffusion of education and of useful information. But here again the amount of the tax levied forms but a small part of the expense to which the public must necessarily be put to

repay the manufacturer for all the trouble and annoyance to which he is subject by the regulations of the law under which he carries on his business. The vexatious nature of this act is almost incredible. I must trouble the House with some slight description of them in the words of the manufacturers themselves. One of them, upon whose accuracy and honour I can rely, writes to me thus: —

"We are bound to give twenty-four or forty-eight hours' notice (according to the distance the exciseman lives) before we can change any paper, and to keep it in our mills for twenty-four hours afterwards before we send it to market, unless it has been re-weighed by the supervisor; to have the different rooms in our manufactories lettered; to have our engines, vats, chests, and presses numbered; and labels pasted on each ream; should we lose one label the penalty is 200*l.* I generally write a request for 500 labels to the excise at one time, and should any person get into my mill and steal or destroy them the penalty would be 100,000*l.* I believe there is not any kind of paper pays more than 20*s.* per ream duty. If the penalty were 40*s.* it would be quite sufficient to answer every purpose for the security of the revenue. We are obliged also to take out a yearly licence; and a mill with one vat pays as much as one that has ten."

Another says, "It is no slight aggravation of the evil, that the laws are so scattered and confused as to render it almost impossible for anybody to have a perfect knowledge of them; and frequently what is a great annoyance to an honest man, is no check to a rogue. It is true, the excise laws are seldom, or perhaps never, acted upon to their utmost rigour; but still they confer almost unlimited power on those who have the administering of them, over the property of all who come under their influence; and I am persuaded that they never could have existed if they had affected the whole of the community."

This last observation I think well deserving the serious consideration of the House. It is, in fact, the real grievance of your excise laws; and I can safely affirm, that if there be a law under their influence which requires revision, it is that which we now have before us.

But I now turn to the last tax of this description on which I shall think it necessary to dwell. The subject has already been partially brought before the House during the last session, by my honourable friend the member for Montrose, in moving for some returns of which I shall avail myself — I mean the tax on printed calicoes. It is matter of surprise to me, that this most impolitic impost should have been allowed to continue, especially when it was declared by the committee of 1818 to be "partial and oppressive, and that its repeal was most desirable." Who, indeed, can examine it, and not feel the truth of this observation. Is it credible, that, in order to raise a nett revenue of 599,669*l.*, a gross tax should be imposed of 2,019,737*l.*? and yet this was the return according to the paper on your table for the year 1828! And these figures are still far from showing us the real cost of the collection of this tax. That must be taken upon the gross produce; and, supposing the rate of collection for the excise to be 5 per cent., which is less than it really is, you have a cost of 20 per cent. on the nett produce of this tax for charges. In addition to this, from all the inquiry I have been able to make, the increased cost to the manufacturer is fully 5 per cent. upon the whole quantity made, so that you have thus two sums, of each 100,000*l.*, levied on the public for the sake of exacting a duty of 600,000*l.* But the revenue is again in this case far from being the measure of the injury you inflict. The inequality of the tax constitutes its chief objection. The duty is levied upon the square yard at 3½*d.* per yard. Thus the piece of calico which sells for 6*d.*, duty paid, contributes equally with that which is worth 5*s.* per yard. You levy an onerous and oppressive tax of 100 or 150 per cent. upon the poor, who are the purchasers of inferior cottons, whilst the rich, who buy only the finest kinds, pay but 10 or 15 per cent.

I have thought it necessary, Sir, to detail these taxes to the House, as those relating to this branch of my subject, which I consider most injurious, and the repeal of which I should most earnestly recommend, as soon as it can be done consistently with the revenue required for the wants of the country. They amount after all to but a moderate sum; but the gain to the public from their abolition is not to be measured by their pecuniary amount, although that would considerably exceed any loss to the Exchequer. For convenience sake I will just repeat what in my opinion would be the amount of both. I take hemp at 70,000*l.*, barilla at 69,000*l.*, coals 800,000*l.*, glass 577,000*l.*, paper 699,000*l.*, printed calicoes 599,000*l.*, making a total of 2,814,000*l.*, but which, deducting the charges of collection upon the gross duties respectively, cannot produce to the Exchequer more than about 2,600,000*l.* The gain to the public, however, by the removal of this amount, I think I am fairly justified in taking at a sum of at least 3,600,000*l.*, even if we only look to the positive pecuniary saving by their having no longer to defray the increased cost of every article which is subjected to these onerous duties, and the vexatious regulations which attend their exaction; but the real gain would be infinitely greater, if we take into account, as we ought, the new employment for capital, the skill, the improvement in art which would at once be brought into action, if the various branches of industry which now languish under the pressure of these taxes were set free.

If I be asked what substitute I propose in the place of those taxes which I desire to see reduced, I should reply, that a very large proportion of their amount, if not the whole, might be supplied by a reduction in the expenditure of the country; but should that not be found practicable, there are certainly various sources of revenue to be found, infinitely less burthensome to the community. The bounties on the fisheries, the bounties on linen, both useless and mischievous, should be abolished, and would

constitute a considerable sum. Various plans have already been suggested, and more could undoubtedly be found, of raising so small a sum in a way much more advantageous to the industry of the country. One, for instance, has been suggested by Mr. Humphreys (I mention it only because every thing which comes from him is worthy of attention), of equalising the duty upon stamps and transfers, and applying the legacy duty to real property, as well as personal estate; the last item alone he calculates would yield 1,500,000*l.* I do not mean to say that I am by any means friendly to the adoption of such a measure; on the contrary, I should be adverse to it in the way he proposes it; but I merely advert to it, or to the plan suggested by my honourable friend the member for the Queen's County, to show that if ever the attention of a committee were drawn to the whole subject, I have no doubt that means would be found of supplying whatever might be required, without taxing productive industry to the extent which the taxes I have enumerated do.

And here, Sir, I take the opportunity of saying a word on the great question introduced the other night by my right honourable friend the member for Liverpool into his speech, — I mean the question of a great mutation of taxation, and the substitution of a direct tax upon income for a large portion of our indirect taxes. I think it but just to myself, and but fair to the House, to declare my concurrence in the view which he takes upon this subject. I agree with him in thinking that, under proper regulations and with sufficient securities, such a change would be beneficial in the highest degree to the industry and improvement of the country: but having said thus much of my own individual opinion, which I should be ready at a proper time to justify and support, I must declare that the consideration of such a plan forms no part of my present motion, and I feel myself therefore by no means called upon to discuss it.

I shall now therefore pass to the consideration of the second branch of my subject, by far the most important part of it; the second class of taxation which I propose to consider, namely, of those articles in which a considerable reduction of rate may, in my opinion, be effected without producing any falling off in the revenue. It is to this important point that I am anxious more particularly to direct the attention of the House, as it is upon this subject that I think a committee would be eminently useful. The more I have considered this branch of our revenue, the more convinced I have become, that we have within our own power the means of greatly diminishing the pressure upon the people, and of affording them increased means of enjoyment without injuring in any important degree the income of the state.

If, Sir, there be one principle more clearly established than any other in financial science, it is the axiom of Dr. Swift, that in the calculations of revenue two and two do not always make four, but much more frequently only one — in other words, that there is a point in taxation, where, by increasing the amount of your duties, instead of increasing your revenue, you defeat your own purpose; and that, on the contrary, by lowering duties which have been unduly raised, you not only augment the means of enjoyment of the consumers, but you increase the actual amount of your revenue. Wherever we turn in the history of our own taxation we find this doctrine amply illustrated. Unfortunately we have too many examples of the one principle, that increased taxation does not increase revenue; but we have likewise proof enough of the other, that augmented revenue may follow diminished duties. The history of Ireland affords the most striking illustration of the first of these rules. A case is there established, which is written in characters too legible not to serve as a guide to future financiers, — one which ought to bring shame upon the memory of its authors. The revenue of Ireland, in the year 1807, amounted to 4,378,000*l.*

Between that year and the conclusion of the war, taxes were successively imposed, which, according to the calculations of chancellors of the exchequer, were to produce 3,400,000*l.*, or to augment the revenue to the extent of 7,700,000*l.* What was the result? Why, that in the year 1821, when that amount, less about 400,000*l.* for taxes afterwards repealed, ought to have been paid into the Exchequer, the whole revenue of Ireland amounted only to 3,844,000*l.*, being 533,000*l.* less than in 1807, previous to one farthing of these additional taxes having been imposed. Here is an example to prove that an increase of taxation does not tend to produce a corresponding increase of revenue, but, on the contrary, an actual diminution. The contrary principle, that for which I contend, is equally well illustrated in the later periods of Irish financial history; but it is singularly well exemplified upon the largest possible scale by that of the United Kingdom within the last few years, and to that I propose to refer. By the papers laid before the Finance Committee, it was shown, that, between the years 1823 and 1827, taxes were repealed which should have produced a loss to the revenue of 9,182,571*l.* But what was the nett loss? only 3,308,316*l.*; the enormous difference of 5,874,255*l.* being made up by increased consumption. With such examples before us, with such facts staring us in the face, can we doubt for a moment, that by acting in a similar way we may confidently look for similar results? Let us examine, then, how far our system of taxation affords us the opportunity of following out this principle. When we come to this consideration, it is curious indeed to observe the ample means we have of doing so. I shall have occasion by and by to advert to some duties of minor importance; but I would first draw the attention of the House to the five great branches of indirect taxation in this country, all taxes levied upon articles in most general use amongst all classes of society in this country, amounting to no less a sum than upwards of 15,000,000*l.* These

five great sources of revenue were as follows, in the year 1828, the last I have the accounts of, for the United Kingdom.

Net produce of Sugar - -	£5,002,000
Tea - - -	3,177,000
Tobacco - -	2,793,000
Foreign Spirits -	2,921,000
Wine - -	1,699,000
	£15,592,000

Now it is plain, that if we can, by diminishing the rates of duties on these articles, at the same time not only not diminish, but perhaps even augment the revenue, on articles so essentially necessary to the comforts of all classes of society, we shall be effecting a most important service, and conferring a vast benefit upon the country. And yet, Sir, I am prepared to assert, that not only would that be practicable, but that such a result would be inevitable. I am prepared to show, that in doing so the House could scarcely be said to be trying an experiment, or risking anything whatever; for we have only to go through the history of the taxation of every one of the articles that I have mentioned, and we shall find that each affords the clearest possible illustration of the truth of what I affirm. This is what I propose now to do; and although I shall, I fear, have to trespass much on the patience of the House, I rely upon their indulgence for being allowed to produce so interesting a case.

I begin, then, with the article of wine. And here I must allude to an opinion which was delivered by the right honourable gentleman opposite, the Chancellor of the Exchequer, in opposing a proposition of my right honourable friend the member for Inverness-shire, last year, for a reduction of the duty on sugar. He contended that an increase of consumption and of revenue might follow the reduction of duty on an article of luxury, but would not, to the same extent at least, in articles of general consumption. From that proposition I dissent; and I maintain directly the reverse. Still, as wine may be considered partly an article of luxury, and partly of necessity, I trust that I shall obtain the concurrence of the Chancellor of the Exchequer, who maintains his principle, as well as of those who agree in mine, which I believe to be more correct. Indeed, it is only necessary to refer to facts, to be convinced that the application of this principle to the duties on wine would lead, not to a diminution, but an increase of the revenue. The House will not be a little surprised, I am confident, by the extraordinary effects which have followed the duties that have, from time to time, been laid upon this article. A century ago we consumed in this country, upon an average, annually, 14,000 hogsheads of French or Bordeaux wine. It appears that we now only consume, with the present high rate of duty, 1400 hogsheads. The right honourable gentleman opposite seems to doubt this statement, but I can assure him that it approaches as near as possible to accuracy. But it is not my intention to refer to such remote periods; I come to a calculation as to the duties levied, and the effect of their imposition upon this article, since the year 1786. It is to be borne in mind, that at that period Mr. Pitt took infinite pains to carry into effect a commercial treaty with France, and with that view, and for the purpose of facilitating the execution of that treaty, he lowered, to a very considerable extent, the duties upon French wines consumed in this country. That system of commercial taxation then introduced by Mr. Pitt, had it been persevered in, would have conferred great and lasting benefits on this country and upon France. Now the average annual consumption of French wines in Great Britain, separately from Ireland, from 1791 till 1793, amounted to 270,000 gallons; the duty was then but 3*s.* 9*d.* per gallon, the average amount of duty was 52,000*l.*: the annual average consumption of all foreign wines for those three years amounted to 7,500,000 gallons, and the total amount

of duty levied thereon to 1,122,000*l.* In the year 1813, when the duty had been raised 320 per cent., the consumption of French wines in this country declined from 270,000 to 36,880 gallons; the revenue by the increase of duty only rose to 73,000*l.* from 52,300*l.*; and thus, though the duty had been increased from 3*s.* 9*d.*, which it was in 1791-3, to 16*s.* 5*d.*, that is, though the duty upon French wine had been in this manner actually quintupled, there had been only an increase of one-third in the revenue.

I will now refer to the duties raised in 1820 and 1822. At that period the duty had indeed been lowered from 16*s.* 5*d.* to 11*s.* 5*d.* upon French wines, but it remained at 7*s.* 8*d.* upon other wines; the consequence was, that the annual consumption of French wines had increased to 171,000 gallons: the duty increased to 102,000*l.*, yet the total annual consumption of foreign wines amounted to only 5,000,000 gallons; the total revenue raised to 1,803,000*l.* Here is a complete proof of the truth of the principle for which I contend. The increase of the duty had been followed by a great diminution in the consumption of wine, but by only a trifling addition to the amount of the revenue as compared with 1791; for though at this period—I mean 1820 and 1822—the duty was lowered from 16*s.* 5*d.* to 11*s.* 5*d.* on French wine, which had therefore increased, it remained the same on other kinds, and the total consumption of foreign wines in this country had fallen off from 7,500,000 gallons, which it was when the low rate of duty existed in 1791, to 5,000,000 gallons, and the revenue was only raised from 1,122,000*l.* to 1,803,000*l.*, though the duty had, in the interval that elapsed between those two periods, been raised 320 per cent.

Now, what was the effect of lowering the duty? In the year 1825 the duty on French wine was reduced to 6*s.* per gallon, and the duty upon other foreign wines to 4*s.* per gallon; the consequence was, that the consumption of

French wine increased to, in 1828, 550,000 gallons, producing a revenue of 136,000*l.*, and the total consumption of foreign wines rose to 7,580,000 gallons, producing a revenue of 1,506,000*l.* Thus, though the duty was lowered 50 per cent., you had a positive increase of revenue from French wines of 35 per cent., with an increased consumption of 300 per cent., and, taking all foreign wines, the revenue was only diminished 12 per cent., whilst the consumption was augmented 45 per cent. This was the case with the duties on wine in England. I will now refer the House to Ireland, where the effect of an increase of duty is still more remarkable. In Ireland, in the years 1789 and 1790, when the duty upon French wine was 33*l.* 7*s.* per tun, the average annual consumption amounted to 490,000 gallons, producing a revenue of 62,000*l.* The duty upon other foreign wines was then 22*l.* 4*s.* per tun, and the total consumption of foreign wines at that period in Ireland amounted to 1,400,000 gallons, producing a revenue of 135,000*l.* From that period the duty was successively raised to 44*l.*, 54*l.*, 64*l.*, 75*l.*, 87*l.*, and 105*l.*, and at length it was raised by Mr. Vansittart to 139*l.*, and thus the duty remained until 1814, when the rates were assimilated to those in Great Britain. What was the effect of this increase of duty? A gradual decline, until, in the years 1820 and 1822, when the duty had been raised to 11*s.* 5*d.* per gallon on French wine, and to 7*s.* 8*d.* on other foreign wines, the consumption of French wine in Ireland amounted to no more than 21,500 gallons, producing a revenue of 12,300*l.*; and the total consumption of foreign wines in Ireland amounted to only 566,000 gallons, producing a revenue of 188,000*l.* Thus, therefore, though in this instance the duty had been raised 500 per cent., the revenue upon French wine, compared with that produced in 1788-90, had been reduced one-fifth part; the total revenue upon the consumption of wine in Ireland had been only raised 30 per cent., and the consumption had been diminished 60 per cent. In the year

1825, when, as in this country, a still greater reduction was made in the duty on wine in Ireland, the consumption of French wine increased there, in 1828, to 55,000 gallons, producing a revenue of 16,700*l.*; and the total consumption of foreign wines in Ireland increased to 1,003,000 gallons, producing a revenue of 193,000*l.* Thus, though the duty had been, in this instance, reduced 50 per cent., the revenue had actually increased 6 per cent., and the consumption had increased 50 per cent. But still the consumption of wine in Ireland is less by one-third than it was in 1790, though the population in that country has more than doubled since that time.*

These facts are sufficient to prove the utility and propriety of applying the principle of reduction to the duties upon these articles. I will ask, after such instances, whether, if the duty were now reduced to 3*s.* per gallon on French wine, we should not still be likely to collect a revenue equal to the present? It may be said, however, that there is a treaty in the way, between this country and Portugal, to prevent us proceeding further with such reductions, and that it would not be right to do any thing in that way now. I do not want to have any thing done hastily. I do not want the Government to make a sudden alteration in the system, but I sincerely hope that our interests will not be sacrificed to the miserable idea of keeping up a connection with Portugal, and that no such consideration will prevent us from taking our neighbours' produce when they can give it us good and cheap, it being quite obvious that they must afford us a market in return for our own. France, it is said, would not take our goods in return for her wine; but that is absurd. If we take her wine, she must take our produce in return, or something for which our produce has been exchanged.

I now proceed to a most important article — I mean tobacco. Tobacco has become an essentially necessary article of consumption amongst the lower classes of society

* See Parl. Pap., article Wines, September, 1829.

in this country. It may be considered by honourable gentlemen as a luxury, but amongst the lower classes in this country it has become an article absolutely necessary to their comfort; and there is none upon which the imposition of high duties tends more to lead to a contraband trade. I will show, that the principle for which I contend may be also most advantageously applied to this article. I will state to the House the average consumption of tobacco in Great Britain, at different periods, according to the returns on the table.* In the year 1795, when the duty was 1*s.* 3*d.* per lb., the consumption of tobacco amounted to 10,972,000 lbs., producing a revenue of 659,000*l.* In the year 1806 the duty was raised to 2*s.* 2*d.* — now that duty might be considered fair enough, and not too high. The consequence was, that it did not affect the consumption, which increased to the extent of 3,000,000 lbs., the consumption in 1812, the last year of that duty, being 15,043,000 lbs., and the revenue produced 1,679,000*l.* Afterwards the duty was successively year after year increased, until it was actually doubled — that is, raised to 4*s.* per lb.; and the consequence was, that in the year 1824, that is, the last year before the duty was changed, and a reduction made in it, the consumption of tobacco amounted to only 13,083,000 lbs., and though the duty had been doubled, the revenue, instead of being raised to 3,400,000*l.*, only amounted to 2,627,000*l.* In the year 1825 the duty on tobacco was reduced to 3*s.* per lb. The consequence was, that the consumption of tobacco increased in 1827 to 14,704,000 lbs.; and though the duty had been lowered one-fourth, the falling off in the revenue, which should have been 656,500*l.*, was only 404,000*l.*, for the revenue produced amounted to 2,223,000*l.*

In the case of Ireland the argument is still stronger; and it is to be recollected that tobacco is even a greater necessary in Ireland than it is in this country. From 1794

* Parl. Pap., Sess. 1829.

till 1797, the annual average consumption of tobacco in Ireland amounted to 7,947,000 lbs.; the duty was then only 8*d.* per lb., and the revenue produced amounted to 215,000*l.* Now in the year 1820, the consumption had diminished to 2,582,000 lbs., being about one-fourth of what it had been in 1797, while in the mean time the duty had been raised to 4*s.* per lb.; and thus, though the duty had been raised 600 per cent., instead of producing, as one would have expected, a revenue amounting to 1,290,000*l.*, it only increased the revenue to 516,000*l.*, being not quite double the revenue raised in 1797. In the year 1825 the duty on tobacco was reduced to 3*s.* per lb., and the consumption in 1827 had increased to 4,041,000 lbs., and the revenue produced amounted to 603,037*l.* Thus, though the duty had been reduced one-fourth, instead of producing, as might have been supposed, only 387,000*l.*, it produced 603,000*l.*, or one-sixth more than the higher rate of duty produced. The population in Ireland has doubled since 1794; and it is only reasonable to conclude, therefore, that the consumption of tobacco should also have doubled since that period: yet here there is a difference of 4,000,000 lbs. between the consumption now and that in 1794. It is quite preposterous to conclude that a population of seven or eight millions would be content with a consumption of 4,013,000 lbs., when a population of 3,000,000, in 1794, consumed 7,500,000 lbs. The article being, then, of prime necessity amongst the lower orders in that country, it is quite plain that smuggling to a vast extent must be going on at present in it. I would certainly myself propose leaving a duty of 200 per cent. upon this article, but at present we have a duty of 900 per cent. upon it, which only holds out an extraordinary temptation to smuggling. According to all accounts laid before the House on this subject, smuggling in this article in England, Ireland, and Scotland, is carried at present to the greatest possible extent. I have heard it stated—and I have the fact upon the best authority — that numbers of

vessels are constantly leaving the ports of Flushing, Ostend, &c., carrying contraband tobacco to this country. It is a fact which was established in evidence before a committee of this House, that seventy cargoes of tobacco containing 3,644,000 lbs., were smuggled in one year on the coast of Ireland, from the port of Waterford to the Giant's Causeway alone.* In Scotland, the smuggling in this article is also carried on to a great extent. There is no doubt that the only mode of meeting this system of smuggling, and effectually putting it down, consists in fairly reducing the duty upon this article. I think that if the duty upon it were reduced to 1*s.* or 1*s.* 6*d.* per lb., the revenue would be greatly served, and smuggling put down.

The next article to which I shall advert, is that of foreign spirits, which again affords the most convincing proofs of the principle in question. In the years 1789 and 1790, the average consumption of brandy and gin in Great Britain was 2,113,000 gallons; that of rum 2,217,000 gallons; the duty on brandy and gin was then only 5*s.*, and the duty on rum only 4*s.*, and the revenue produced amounted to 1,000,000*l.* In the years 1816 and 1817, when the duty on brandy and gin had been raised to 18*s.* 9*d.*, and the duty on rum to 11*s.* 6*d.*, the consumption of brandy and gin amounted to 900,000 gallons, and that of rum to 2,871,000 gallons, producing a revenue of 2,470,000*l.* Thus though the duty had been increased nearly 400 per cent. upon brandy and gin, and 300 per cent. on rum, the revenue had been only a little more than doubled, and the consumption had fallen off, notwithstanding an increased population, by one fourth. But there is a still stronger case, in reference to the mode in which those articles have been taxed. In 1801 and 1803, when the duty was 9*s.* 5*d.* on brandy and gin, and 7*s.* 6*d.* upon rum, the total average consumption amounted to 5,799,000 gallons, producing a revenue of 2,468,000*l.* In

* See Revenue Enquiry.

1816 and 1817, when the duty upon the former spirits had been raised to 18*s.* 9*d.*, and on the latter to 11*s.* 6*d.*, the total consumption amounted to only 3,771,000 gallons, producing a revenue of 2,470,000*l.* Thus in this case, though the duty on brandy and gin had been doubled, and that upon rum raised 50 per cent., the revenue was only increased 2,000*l.*, instead of being increased by 2,000,000*l.* as might have been supposed.

I shall now advert to the reduction of the duties upon those spirits, to show how it has acted in increasing the revenue. With regard to rum alone. From the year 1822 till 1825, the average consumption was 2,757,000 gallons, producing a revenue of 1,544,600*l.*; in 1826-28, when the duty was reduced to 7*s.* 1*d.*, the average consumption of rum increased to 4,314,000 gallons, and the revenue produced amounted to 1,537,000*l.* Thus, though the duty had been reduced one-third, the revenue still continued the same. That I take to be a case in point. But perhaps it will be said that the increased consumption of rum was owing to a falling off in the consumption of other foreign spirits. No such thing. The total consumption of brandy, gin, and rum had increased from 4,237,000 gallons, the average amount in 1822-1825, to 5,994,000 gallons in 1826-1828, and the revenue had risen from 2,993,000*l.* to 3,123,000*l.*; thus proving that a reduction of duty had been followed by an increased consumption of all kinds of foreign spirits, and by a corresponding increase of the revenue.

Perhaps it will be said that I do not make a sufficient allowance for a falling off in the consumption of English, Scotch, and Irish spirits, occasioned by the consumption of foreign spirits. I am prepared with an answer for that objection; and here again I will show, that a reduction of duty has been attended by an increase of consumption and of revenue. It will be found that in 1821 the spirits made in Scotland amounted to 2,229,000 gallons; the duty was 5*s.* 6*d.*, and the revenue produced was 727,000*l.*

In 1828, after the duty had been reduced to 2*s.* per gallon English, the consumption increased to 5,716,000 gallons, and the revenue produced amounted to 809,000*l.* In Ireland, in 1821, the amount of the consumption of spirits was 2,649,000 gallons, the duty was 5*s.* 6*d.* per gallon, and the revenue produced was 912,000*l.* In 1828, after the duty was reduced, the consumption rose to 9,937,000 gallons, and the revenue increased to 1,395,000*l.* Here, permit me to say, are instances which admit of no misconception, which require no arguments to support them! It was given in evidence formerly, before a Committee of this House, and previous to the reduction of the duty upon spirits in Ireland, that 10,000,000 of gallons were consumed in Ireland, and that 7,000,000 of that was contraband spirits. I quote that fact to show how a fair and moderate rate of duty tends to put an end to that system which is created and maintained by an immoderate and excessive rate of duty. But it may be said that the reduction of the duty on spirits tends to the diffusion of immorality and drunkenness. Now that I take to be a very idle and silly objection. I think that nothing can be more absurd than an attempt on the part of the legislature to control by law the dispositions of the people, as to what drink they shall take, and what they shall not take. I will refer those who make suggestions of that kind to what took place in 1743 or 1745, when the gin act was brought in, and when a heavy penalty was imposed upon any one who dealt in gin. Yet it was proved that, in spite of that, 6,000,000 of gallons of gin were consumed in London alone.

There are two articles more to which I shall advert, namely, sugar and tea. Before I do so, I wish to observe, that by the reduction of duties upon tobacco and spirits, we shall not only increase the revenue, but that we shall be thus enabled to put down the system of smuggling, which high duties encourage and maintain, and we can then dispense with the expensive coast blockade guard,

which it is necessary to keep up at present. By doing so, by reducing the duties upon spirits and tobacco, we shall equally serve the revenue and promote the morals of the country. From the evidence of Mr. Dean, an officer of the government, before the finance committee, it would appear, that the smuggling in these articles alone renders the maintenance of the preventive establishment absolutely necessary; and that for this purpose only is the country called upon to bear an expense of nearly 700,000*l.* I need scarcely urge upon the consideration of the House the great advantage that would result to the country from getting rid of the whole of that system, and of the demoralizing practices of which it is the unavoidable cause. It is well known that all along the coast smuggling prevails to a great extent—it is equally certain that it arises from the causes which I have stated, and that the establishments for checking it, which they do but imperfectly, are scarcely a less evil than the offence against which they are directed.

I now come to the article of sugar, and upon this I shall not feel it necessary to say much; both because the subject has been already so ably discussed in former debates, and because I really think that my case has been almost admitted. No one surely will be found to deny, that if without any sacrifice of revenue we can assist that very suffering interest, the great body of West India proprietors, it is our duty to do so. But when, in addition to that, we can benefit so essentially the great body of the people of this country, who more or less all consume sugar, I really cannot express my astonishment that some reduction of this duty should not already have taken place. What does all the evidence of past experience, both of your accounts and of your own officers, say? Why, that a reduction of duty is unavoidably followed by increased consumption and even of revenue, and that of course the opposite result follows an opposite course. Let us take the consumption of sugar in 1801, when the

duty was 20*s.*: it then amounted to 2,773,000 cwt. In 1821, twenty years afterwards, when your population had increased in Great Britain from 10,000,000 to 14,000,000, it remained stationary, nay, it had rather fallen off, for it amounted only to 2,676,000 cwt.; and why was this? The price had increased from natural causes, and you had raised your duty to 27*s.* During the few past years, the natural price of sugar has fallen materially, and the effect is visible in the increased consumption, which in 1828 amounted to 3,285,000 cwt. But what would be the case if you were to diminish your duty to 18*s.* or 20*s.*? Is it not to be supposed, that with a population of 17,000,000 in Great Britain, and above all with one of 7,000,000 to 8,000,000 in Ireland, rising in wealth and in means of purchasing every day, your consumption would rapidly augment, and your revenue with it? The Chancellor of the Exchequer, in arguing this question last year, supposed that a reduction of duty to 20*s.* would be followed by a loss of revenue of 400,000*l.*, allowing for an increased consumption of 500,000 cwt. I am of opinion, that a far greater increase of consumption would really take place, and I may refer him to the evidence of Mr. Irving, in his Letter, laid before the Finance Committee, for a proof of what I say. I have not the slightest doubt, that if the duty were reduced to 20*s.* the revenue would be a gainer and not a loser by the transfer. But I shall not go at any further length into this article, and I pass to the next.

I mean tea. I certainly am not for proposing a reduction of the duty upon this article as long as the monopoly of the East India Company continues, for that I believe would only be taking money out of the pockets of the public to put it into those of the company. But the trade ought to be thrown open, and the enormous duty reduced at the same time. I wish too more particularly to allude to tea, because the history of its taxation furnishes the most striking example of the effects of various duties upon

it, and serves to illustrate and confirm in the clearest manner the principle for which I am contending.

In 1745 the duty was 4*s.*, and the consumption amounted to only 750,000 lbs., and the revenue was 151,000*l.* In the following year the duty was reduced to 1*s.* per pound, and the immediate result was, that the consumption increased to 2,000,000 lbs., and the revenue instead of falling off actually amounted to 243,000*l.* From 1748 to 1783 succeeding Chancellors of the Exchequer, disregarding the experience of what had then taken place, successively raised the duty to 119 per cent. at which it stood in 1783, when the consumption was only 5,857,000 lbs., and the revenue 700,000*l.* At this period Mr. Pitt introduced his celebrated commutation act, by which the duty was reduced to 12½ per cent., and let the House mark the immediate effect. The consumption rose in 1787 to 16,692,000 lbs., and the revenue raised was 343,000*l.* Thus, though the duty was reduced to one-tenth part of what it was, the revenue only fell off one-half. The duty was again changed, but it still remained moderate in 1799 at 25 per cent., when the consumption had gradually increased to 24,853,000 lbs. Since then unfortunately a different system has prevailed; the duty has been successively raised to 96 and 100 per cent., and let us observe the effect. In 1828, the consumption only amounts to 26,000,000 lbs.; so that although we have increased in population nearly to the extent of doubling, the amount consumed remains but what it was thirty years ago. Can any thing be more striking than these facts? And what is the necessary inference? It must be, that as the consumption of what is called tea has increased far beyond that extent, the article passing under that denomination must be an adulterated one.

By the reduction, therefore, of the present enormous high duty on tea, we should not only benefit the revenue, but we should benefit the consumer, by promoting an increased consumption of the genuine article, and by getting

rid of the adulterated article that is now so common. It was given in evidence before the Committee of Smuggling, in 1783, that 4,000,000 lbs. of spurious tea were sold in this country, although the consumption of duty-paid teas was only 5,000,000 lbs. If that was the case then, what must be the fact now? We have, before the East India Committee, the evidence of a gentleman, a foreigner, well acquainted with the tea of other countries and of this, who declares that he does not believe that what is called "tea," which he meets with in inns and shops in the interior of the country here, has the slightest infusion of the real plant; that, in fact, it is all composed of sloe leaves. I should certainly not desire to interfere with the home manufacture; but, seriously, such a system of fraud and adulteration ought to be put an end to. I conceive that a reduction of the duty on this article would tend materially to increase the revenue; and I scarcely think that any one can doubt that such would be the result.

I should apologise to the House for the length of time that I trespass upon its indulgence; but I consider it necessary to state the grounds upon which I seek for the appointment of this committee. I make no specific proposition; I merely call for a Committee of Inquiry. If I obtain that committee, I should like to see these reductions made in the duties I have spoken of; a reduction in the duty on tobacco to 1*s.* 6*d.* per lb.,—in that on foreign spirits to 10*s.*,—in that upon tea to 50 per cent.,—in that upon foreign wines to one half its present amount, and in that upon sugar to 20*s.* These reductions, I am satisfied, would be followed by an increased revenue.

I shall now advert to the article of stamps. I moved, some time ago, for returns of the amount of stamp duties upon sea policies, fire insurances, and the stamps upon newspapers and advertisements. The stamps paid upon sea policies, in the year 1816, amounted to 282,000*l.*; and the ships entered inwards and outwards for all parts of the world, in that year, amounted in tonnage to

3,954,000 tons. Now, in the year 1826, the last for which I have the returns, the amount of stamp duties paid upon sea policies amounted only to 219,000*l.*, and the amount of tonnage of the ships entered outwards and inwards in that year was 5,154,000*l.*; thus showing an increase of business to the amount of 1,100,000 tons, or one fifth over 1816, and a diminution of duty of two fifths. Whence could this arise but from our high rate of duties, which drove insurers to make their policies in the United States or Holland, where they could insure at a cheaper rate? I know of my own knowledge that such has been the case, and that policies are daily entered into in the United States, in Holland, in Germany, in other countries, instead of being made here, in consequence of the difference of the stamp. Can it be otherwise in these times, when a difference in price of one quarter or one half per cent. is sufficient to influence the destination of commercial business, and is of material consequence in the present low rate of profit? Now, if we reduced to a reasonable extent this tax, we should bring back this business to ourselves, and at the same time increase the revenue by the change. If his Majesty's Government persevere in this pernicious tax, they must send all insurers across the water.

With regard to fire insurances, the case is yet more flagrant. The premium in the fire insurance offices in London, in cases of common risk, is calculated at 1*s.* 6*d.*, and upon that 3*s.* stamp duty must be paid to government. This tax of 200 per cent. obviously prevents many from insuring who would otherwise insure. Many who would be anxious to insure their property at the expense only of 1*s.* 6*d.* per cent. are deterred from doing so when they reflect, that upon that insurance they must pay a duty of 200 per cent. to the government. What has, in fact, been the consequence of this high rate of duty? A man having one house, with valuable furniture, may even under this duty insure it; but does that hold good with respect

to the great proportion of risks? Even in those cases in which there is but one insurance to be effected, the possessor of property will be little inclined to pay three times the real value of the risk incurred to secure himself; but of course whenever that risk can be divided, as is the case in farm buildings, in cottages, in many houses belonging to the same owner, in all those cases in which, by the division of the chances of fire, a proprietor may become his own insurer, he will see the advantage of doing so, and abstain from applying to an office at all, and of course from contributing any thing to the revenue. Does not the amount of insurances clearly show that something is defective in the system? In 1806, when the duty was 2*s.* 6*d.*, the capital insured in Great Britain was 262,716,000*l.*, in the ten years ending 1815, it had increased to 402,360,000*l.* The duty was then raised to 3*s.*, and in the eight following years, the last for which I have returns of the capital, in 1823, it had only increased to 420,804,000*l.*; and the revenue, which under the low duty had increased in ten years from 266,000*l.* to 518,000*l.* or doubled, only rose from 592,000*l.* to 631,000*l.*, or between seven and eight per cent., though no doubt there has been an immense increase of capital and property in this country during that period. If the government duty were reduced one fourth upon fire policies, I am sure the revenue would be, in that instance, materially increased.

I shall now direct the attention of the House to the stamp duties upon newspapers and advertisements. My noble friend near me has already adverted to that subject. But I would go further than my noble friend, who has recommended that the present duty of 4*d.* upon newspapers should be reduced to 2*d.*, for I would reduce it to 1*d.*, and I am sure the revenue would benefit by the reduction. We can only judge of the effect of these stamp duties by comparing the state of our newspapers and their circulation with those of other countries. The inhabitants of the United Kingdom lay a high claim to superior intelli-

gence, and to a high literary character. Now let the state of the newspaper press show how the matter really stands.

I hold in my hand a return made to Parliament in 1821, with regard to the newspapers in Great Britain and Ireland. It appears from this return, that there were then thirteen daily papers in London, with an average circulation of 2,200 each, making a total circulation of 36,000. By this return it further appears that there were 334 newspapers altogether in Great Britain and Ireland, of which twenty were daily papers, to wit—sixteen in London, and three or four in Dublin. Strange to say, Scotland, with all its wealth and intelligence, has not a single daily paper. The total amount of the circulation of these papers was 27,827,000, with a population of 23,000,000. Now if we look to the United States, we shall find that with a population of 10,000,000, the number of papers is infinitely greater. It is stated by Cooper that there are 800 newspapers in the United States, that of these fifty are published daily, and that the total circulation of them amounts to 64,000,000; thus establishing the fact, that the United States has five newspapers for its population in proportion to one in the British Isles. France establishes equally well this important fact, the bad effect of our stamp duties in preventing the circulation of newspapers. There are four daily newspapers in Paris, the circulation of which amounts to 50,000, and the total daily newspaper circulation in Paris is estimated at 80,000, while the circulation of papers in London averages only 36,000. Yet in this country, according to the calculation of Mr. Colquhoun, there were in 1812, 123,000 heads of families, with an income of 800*l.* per year, a number now probably amounting to at least 140,000; double or treble what exist in France or the United States.

It would be also most desirable that the duty upon advertisements should be reduced; it is at present a most unequal tax, for the same duty, namely, 3*s.* 6*d.* is charged on an advertisement of one line or of fifty lines. This

tax is a great obstruction in the way of advertising. Undoubtedly honourable members who have a double number of *The Times* laid upon their table in the morning, may be led to imagine, from seeing the crowd of advertisements in that immense sheet, that no such obstruction exists; but I would merely refer them to the United States, to show how much more advertising is resorted to where no duty upon advertisements exists. It appears from a statement upon which I feel disposed to place the fullest reliance, that the yearly number of advertisements in the United States amounts to 10,000,000, while the total number of advertisements in the United Kingdom only amounts to 963,000, or about one-tenth of the number that is published in the United States. We have but to look to the walls of this metropolis to be convinced, that no indisposition exists on the part of the people here to advertise, and to perceive that the check upon their doing so consists in this duty. I should, therefore, be for reducing the duty, as I am sure its reduction would encourage advertising, and increase the revenue. I have read a letter on this subject from the able and intelligent editor of the *Scotsman*, an Edinburgh paper; and I quite concur with the writer in his views. I would recommend the perusal of that letter to the Right Honourable Gentleman opposite (the Chancellor of the Exchequer). I have examined the statements which he makes, and I find no flaw in them. He proves, I think, incontrovertibly, that the reduction of the duty on advertisements would increase the revenue, and that if the duty were lowered upon newspapers to one penny, we should have newspapers sold for twopence-halfpenny instead of sevenpence, as at present. I am for removing all obstructions against the diffusion of knowledge, intelligence, and useful information.

Sir, I have now endeavoured, very imperfectly I fear, to bring the system of taxation of which I complain, before the House. I have attempted, in the first place, to point out such taxes as appear to me to be worthy of consider-

ation, for the purpose of effecting their entire repeal. I trust that I have been able to show to the House, that the amount which they yield to the Treasury is far from compensating for the charge of their collection, for the barriers which they oppose to improvement, and for the injury they inflict on the industry of the country, and the fair increase of that class of manufacturing skill on which they press. At the same time, I am far from proposing to lop off even such an amount of revenue as they constitute,—as I have said, about 2,600,000*l*,—at once, without that deficiency being supplied, either by reduction of expenditure, by the removal of some improper bounties, or by the substitution of some other impost. But still I desire that the subject should be fully considered; that the nature of these taxes should be narrowly inquired into, in order that they may be gradually removed as we are in a condition to do without them, or to obtain their amount from sources of taxation less injurious to the community. Such an inquiry surely is deserving of the attention of a Committee of this House.

But should there exist any doubt upon this point, it appears to me that there can be none as to the second branch of my subject; namely, the propriety of reviewing the duties upon the great articles of consumption which I have enumerated, in order to ascertain whether their present state does not defeat the very object you had in imposing them; and whether, by reducing their scale, you may not even augment your revenue, at the same time that you relieve the burthens of the people. I have been obliged to trouble the House very much at length on these branches of revenue; but I trust that I shall be forgiven, when I remind them that each of the articles to which I have been obliged to refer them, furnishes the most apt illustration of the principle for which I contend, in both its bearings. Each of these articles to which I am now anxious to apply my principle has already put it to the test. In each we have seen, that an increase of duty

beyond the bounds of moderation, has invariably produced a diminished consumption, and a but slightly augmented revenue; that, on the contrary, a diminution of duty has greatly increased the consumption, and has been attended seldom with any considerable falling off, frequently with even an increase of revenue.

Am I not justified, then, in maintaining that this would be the consequence now? Am I not authorised to hope, that what has been shown by experience always to follow, would now also ensue? But above all, have I not a right to call upon this House to inquire into the case, and to apply the principle, if it be satisfied of its correctness? That it would satisfy them that it is in their power to afford substantial relief to the people, with but little injury to the revenue,—I entertain not the slightest doubt. I hold in my hand a scale of future duties and consumption, which I have submitted to many who are best acquainted with this subject, and who agree in believing that I have rather underrated both the revenue and the probable consumption;—and yet, by adopting the duties I propose,—gradually of course,—a relief might be afforded to the people of between 6,000,000*l*. and 7,000,000*l*., at the cost of less than 1,000,000*l*. to the Exchequer.

If, then, we have it in our power, by the reduction of duties, to yield relief to the people with perfect security, and without doing more than a temporary injury to the revenue; I do not think it possible for any man to object to our adopting such a line of conduct. Undoubtedly, Sir, I am not aware of the course which his Majesty's ministers intend to pursue upon this subject. I have already disavowed any hostile intentions, or any but the most friendly feelings to them, in bringing it forward. In proposing that the whole taxation of the country should be taken into consideration by a select committee, as was done in the year 1783, and as was the intention of the Finance Committee, as I think is manifested in their fourth report,—I protest that I am actuated by no want of con-

fidence in his Majesty's advisers. My object, Sir, is far different; it is to arm them with greater power to do good, and to assist them in the praiseworthy object, which they have already commenced, of reducing the burthens which press upon the people. My object, in short, on this subject is to give them that power which they cannot exercise effectually, as I conceive, without the assistance of a committee.

Sir, I am not sanguine enough to expect that the alterations which I have taken the liberty of proposing, can be made without producing some deficiency in the revenue in the earlier stages of their operation; a temporary deficiency, and temporary is all that it could be, might perhaps occur during the first year of reductions, and for this some expedient would be requisite. Supported by a committee, and carrying into execution its recommendation, the Government might fairly ask from Parliament a vote of credit for this purpose; and that, permit me to say, with much greater confidence, than if they were acting merely upon their own responsibility. There is another reason which I consider to be a justification for asking to go into this committee, and which induces me to prefer this course. There are a great variety of interests deeply concerned in this subject; all of which may be fully heard in the committee, and their different claims impartially decided on. We should have an opportunity, amongst other things, of examining into the extent of smuggling, and into the various frauds on the revenue, occasioned by the imposition of high duties, — subjects which could be brought before a committee with a chance of obtaining a much fuller investigation than they could by any possibility obtain from the members of Government, who are necessarily engaged with many other various and important occupations.

Whatever the determination of Government may be upon this motion, Sir, I trust that the tone and temper of my observations may make them sensible that I am only

desirous to carry that object which they and I equally profess to have at heart — I mean, the reduction of such duties as press most heavily on the productive industry of the country. What the determination of his Majesty's Government may be on this subject, I repeat, I shall not presume to augur; but I trust that, be the decision of the Government what it may, the House will support me in the motion which I have made for nominating a committee for the purpose of inquiring into this subject, and of having it laid open before them. In calling for an inquiry into the system of taxation, I appeal for support to those, who, on a late occasion, voted for the Honourable Baronet's proposal for a committee to inquire into the extent and causes of the national distress, and to report whether any, and what remedies could be applied for its relief. I offer them here a motion which goes practically to the object which they had in view. In this committee they will have an opportunity, which they ought not to lose, of gaining that information for which they have recently expressed such strong anxiety.

I appeal also for support to those honourable members who opposed that proposition, conceiving that it was too vague and general in its terms, and that no good could be derived from acceding to it. Here they have a definitive proposition—here they have a motion for inquiry into a specific object for the relief of the people. I appeal likewise, Sir, for support to all those, who, in the course of the present session have presented petitions from the people, complaining of the severe distress under which they are suffering. Here they will see a prospect, at least, of affording their constituents that relief to a great extent, without doing any injury to the revenue; and I cannot conceive how those honourable members can face their constituents, who are daily sending up complaints of the severity of taxation, and calling for some alteration in the mode of collecting it, if they refuse to enter into an inquiry, out of which no harm can come, and from which

some good, perhaps, may arise. On the one side, if you grant this inquiry, you prove to the people that you are anxious to alleviate their distress, by affording them the articles most necessary to their subsistence and comfort at a cheap rate, — to the country, that you desire to afford this relief, but at the same time to meet the claims of the national creditor, and to preserve inviolate the public faith, — and to the world you will present the spectacle of a legislative body fulfilling its highest duty, occupied in the attentive consideration of the interests of those from whom it derives its power, and anxiously endeavouring to remodel its system so as to meet the necessities of this situation. On the other hand, if you refuse this inquiry, it can only be for reasons which I can scarcely conceive; you can only do so under the notion that Parliament is incompetent to conduct it; and, allow me to say, in doing so, you will abandon the most important portion of your duty, and send the people discontented and dissatisfied away.

For these reasons, and upon these grounds, I put my motion, with confidence, into the hands of the Speaker, gratefully thanking the House once more for the indulgent attention with which it has listened to my observations. I beg leave to move, Sir, that "a Select Committee be appointed to inquire into the expediency of making a revision of the taxes, so that the means of paying the sums voted by the House, and all other charges for the public service, may be provided for with as little injury as practicable to the industry and improvement of the country."

APPENDIX VI.

SUBSTANCE OF THE SPEECH OF THE RIGHT HONOURABLE C. POULETT THOMSON ON THE CORN LAWS, MARCH 2. 1834.

[From Hansard's Parliamentary Debates, vol. xxi. third series.]

Often as it had fallen to his lot to address the House, which he always did with feelings of great anxiety; yet he could unfeignedly assure it, that he never rose to address it under stronger feelings of trepidation than those which he experienced at that moment. He had the misfortune to differ in opinion upon this subject from many of those friends with whom he was in the habit of acting, and, above all, he had the misfortune to differ from his right honourable friend, the First Lord of the Admiralty. It would, however, be unworthy of the little character which he trusted that he had been enabled to obtain — and he should be unworthy of representing that great constituency which, unsolicited, had done him the honour of sending him as its representative to the House of Commons — he should be a traitor to the opinions which he had always expressed, and the votes which he had always given upon this subject, if he did not, unhesitatingly, but still with great diffidence, proclaim the views which he entertained upon it. "I must first," said the right honourable member, "correct a statement made by the noble Lord who has just sat down. That noble Lord has stated, if I understood him correctly, that he had withdrawn his amendment, because it was the desire of the Government that the motion of the honourable member for Middlesex should be lost in as small a minority as possible." I deny that. The circumstance of my being here as a member of the Government, and yet voting with the honourable member for Middlesex, is at once an answer to the statement which the noble Lord has made.

The Earl of *Darlington:* On what authority does the right honourable member deny my statement?

Mr. *Poulett Thomson:* The authority upon which I deny the statement is this — that it is an open question in the Government, for the truth of which I appeal to my noble friend sitting near me, and it is on this ground that I am here as a member of his Majesty's Government, though not in the Cabinet, advocating the opinion, and voting for the motion of the honourable member for Middlesex.

The Earl of *Darlington:* What I said was this: I said that a communication, sent as an appeal to me to withdraw my amendment, came from a high quarter in his Majesty's Government. I had it, in point of fact, in writing from one who is not only a member of the Government, but also a member of the Cabinet.

Mr. *Poulett Thomson:* If that be all the statement of the noble Lord, it does not at all impugn my assertion. What may be the opinions of the individual members of the Government, be it the head of that Government, or any other member of the Cabinet, is a different question; but if I misunderstood the noble Earl in supposing him to say, that it was the wish of his Majesty's Government, taken collectively, to leave my honourable friend, the member for Middlesex, in as small a minority as possible, then I hope he will excuse me for such an unintentional misinterpretation of his meaning; but if I did not misunderstand him, then the very fact that I am here, a member of the Government, holding the official situation which I do, advocating and prepared to vote for a change in the Corn-laws, is, I think, a sufficient answer to his assertion. — The right honourable gentleman then proceeded to observe, that he was sorry that this circumstance had given rise to any heat, as his object in discharging the duty which he had to perform was, to keep in mind the example of the honourable member for Middlesex, who had introduced this subject with the utmost good temper, with calmness, and with the absence of every topic which could excite anger and animosity in those whom he addressed. He felt

the necessity of following that example the more, because he could not disguise from himself, from the appearance of the House last night, that he was about to speak to an unfavourable audience. At the same time, he felt bound to urge upon the majority, if he had the misfortune to differ from the majority in opinion, that every thing which he had to say could only put weapons into their hands to be used against him; and being the strongest, although they differed from him — nay, because they differed from him — he was sure, that they would feel bound to extend to him an indulgent and patient hearing. He had stated, that he would endeavour to keep his share in this discussion within the bounds of moderation and good temper. If any thing, in the course of his remarks, should fall from his lips which might seem to reflect upon personal interests — and this question, unfortunately, appeared to have been mixed up with personal interests — he trusted that what he had already said — namely, that he differed on this subject from his best and nearest friends, would be sufficient to convince honourable gentlemen, that such an offence on his part must be unintentional, and that he could not mean any personal disrespect. He agreed with every gentleman who had yet addressed the House on the other side of the question, and particularly with his right honourable friend, the First Lord of the Admiralty, that it would be most desirable that now should be the time to bring this question to a final issue. He wished, in the utmost sincerity of heart, that it was possible to bring it to such an issue now. Above all he agreed with his right honourable friend in thinking that this question ought not to be argued on the individual interests of one class or another; it was with regard to the general interests of the community at large that the House was bound to legislate. Upon these grounds, in spite of what had been said last night, he should not find any fault with those who were to be the judges on this question. Whatever might be the individual interests mixed up with this question, so far as it regarded the landlords, he was satisfied to place the decision of it in

the hands of the gentlemen of the House of Commons; being quite convinced that, though they might, in his opinion, form an erroneous judgment, they would still act fairly, honourably, uprightly, and conscientiously. In the course of the debate, his right honourable friend, the First Lord of the Admiralty — to whose speech he must refer as being the most able which he had yet heard on that side of the question — had stated that, in arguing the case on the principle of the general interests of the country, he must go through the various interests, and show that the Corn-law was advantageous to them all. His right honourable friend had certainly made what he should term rather a landlord's speech — a speech which, whatever might be its merits in other respects, was certainly calculated to catch as many stray votes as possible. He did not quarrel with his right honourable friend for that, although he should presently venture to criticise it; but he hoped that, after his disclaimer of all intentional offence and after his acknowledgment that he should be guilty of great impropriety were he to say any thing imputing motives of personal interest to any speaker, he might be permitted to submit the arguments of his opponents to a close examination, without exciting their animosity and ill-will. He hoped, too, that the question would be argued without any of those sneers against political economy, and those declamations against philosophy, which did not enforce argument, though they might gain cheers. He had heard, he owned, with much regret, his right honourable friend indulge a little in such sneers; in that his right honourable friend only resembled other honourable members, for he believed that there was no man who came down to that House prepared to talk on a question like the present, who was not, in his own opinion at least, the very *beau ideal* of a political economist. It might be that, like the man who talked prose all his life without knowing it, there might be some honourable members who, talking against political economy themselves, talked political economy without

knowing it; though, perhaps, none of the best. His right honourable friend should have recollected also, that a sneer at philosophy might be in his hands a double-edged weapon which might cut both ways, for unless he was very much mistaken, he had seen propounded in pamphlets, not very foreign from the question, doctrines which qualified their author for taking out his diploma in the university of Lagoda, with the unanimous approbation of the philosophers of the celebrated island of Laputa. He trusted that they should hear no more of such observations, but that the question would be argued on its own merits. His right honourable friend, the First Lord of the Admiralty, and other honourable members who had followed him in the debate, had very fairly and candidly divided in their argument the various interests concerned in this question. His right honourable friend had said, that he would divide the country into four classes — the landlords, the farmers, and the agricultural labourers on one side, and the consumers on the other. [*Cries of "No."*] He said yes; he gave his honourable friend credit for it; for nothing could tend more to the eliciting of truth, than that honourable members should understand each other clearly as to the terms they used. The landlords, they were told, were mainly interested in the decision on this subject. His right honourable friend, at the close of his speech, had told the House, that a political consideration entered into the question — that it was necessary to maintain the landlords in the position which they occupied at present, and that the continuance of the existing relations between them and their tenants was indispensable to the tranquillity and well-being of the country. Be that as it might — and for the present he would not dispute it — he thought that, in the exposition of the view which he took of the subject, he should be able to show that the interests of the landlords were not involved in the continuance of the Corn-laws as they at present existed, but that those interests would be better consulted by a change of those laws. He

had no occasion to argue that point at length, for he had only to refer to the speech of the honourable member for Surrey, whose observations last night elicited so much applause from a large portion of the House, and seemed to be accepted by them as a correct representation of their case. In speaking of the condition of the landlords, the honourable member, speaking from his own knowledge, and from the experience afforded by his own farms, said — "Forty years ago I was receiving 20*s.* an acre. The charges upon it at that time were so and so; the charges on it are the same now, with an addition of 6*s.* more. I receive no more rent now than I did then. The only difference in my condition as a landlord then and now is, that then my rents were well paid, and now they are ill paid." Now, he wished the House to recollect that forty years ago there was no Corn-law save one, and that was inoperative, for the importation of foreign corn was free; and yet, on the statement of the honourable member for Surrey, his condition was the same now as it was then, with only this distinction, that formerly his rents were well paid, and that now they were ill paid. To this part of the subject he would again return, but he would now turn to another class of arguments. The noble Lord, who had preceded him had said, that that man must be perfectly ignorant of affairs in the country who could say that the farmer was not more than any one benefited by the present restrictions on the importation of foreign corn. Now for his own part he could not conceive on what grounds the farmer, unless he were burthened with a lease for a term of years, could be interested in the existence of restrictions upon the trade in corn, even supposing prices to be affected by it. To the farmer it must be matter of indifference, if he had not a lease for a definite term, for he employed his capital in farming just upon the same principle as capital was employed in any other trade; and on taking a farm from year to year, would take care to give only so much for it as would leave him a fair return for interest, risk, and labour.

If indeed he had been deluded in the prospects held out to him when he took his lease, he must be a sufferer by the present state of prices; but if his farm were merely taken from year to year, it was difficult to see how the farmer could be interested in the continuance of restrictions. But what had been the effect of the legislation of Parliament upon the farmer? What had been the condition of the farmer under the legislation of the last nineteen years? If there was any man who had a right to complain of their legislation it was the farmer, who had been deluded by it into taking his farms on terms which were positively ruinous, and who had suffered severely in consequence of that delusion. What said the Corn-law of 1815? What was the language then held to the farmer both in that and the other House of Parliament? He was told, that the price of corn would not fall below 80*s.* a quarter, and upon that assurance numbers of honest and industrious farmers embarked their capital in farming speculations. Then came the Corn-laws of 1827 and 1828; and what promises did they hold out? He supposed, that his right honourable friend would not dispute the accuracy of his quotation from Mr. Canning's remarks in introducing the Corn-law of 1827, which, as regarded the question under consideration, were equally applicable to the present Corn-law, the Corn-law of 1828, which, indeed, the honourable member for Essex did denounce at the time as worse than the Corn-law of 1815. Mr. Canning's language, on introducing the Corn-law in 1827, was as follows: — "I think this project will tend to equalise the price, and keep that equalisation of prices steady. The market will, indeed, assume such a steadiness, that instead of a fluctuation between 112*s.* at one time and 28*s.* at another, the vibrations will probably be found to be limited within the small circle of from about 55*s.* to about 65*s.*"* It was upon that promise that the farmer went; and how had experience justified that promise? On turning back to the

* Hansard (new series), xvi. p. 770.

list of prices since that Act was passed, he found that, on the 25th of January 1831, the price of wheat was 75*s.* 11*d.*, and that on the present day, it was 48*s.* and a fraction. By the assurance of this Bill the farmer had been deluded, and had more than any one a right to complain of the injury which the law had inflicted upon him. So far from being benefited by this legislation, the farmer had been deeply injured by it. The noble Lord, he believed, would assent to that remark, for the noble Lord, if he did not misunderstand him, implied that the farmers had taken their leases upon a calculation that they would get at least 62*s.* per quarter on wheat; whereas they had not received it by 8*s.* or 10*s.* His right honourable friend, the First Lord of the Admiralty, had touched very slightly upon the case of the farmer. The noble Lord who had just spoken had done so too; and they had both failed in convincing him that the farmers who had taken their farms in 1815 and in 1828, in the expectation of getting 80*s.* and 60*s.* respectively for a quarter of wheat, had not been injured by the operation of the law. He would next refer to the case of the agricultural labourer. What had his right honourable friend said upon that subject? He had rested the whole of his case upon one hypothetical assertion made by Mr. Oliver in his evidence. He begged honourable Gentlemen to recollect that Mr. Oliver said, not that if the Corn-laws were altered, but that if the Corn-laws were altered in a particular way, certain effects would follow. He had assumed, that if there was such a fall in the price of corn as would throw out of cultivation 2,000,000 acres, there would be thrown out of employment 250,000 labouring men, with families dependent on them; making altogether 900,000 persons. That was an argument founded upon an assumption of Mr. Oliver's — an argument based upon no solid foundation whatever — an argument that had been refuted by none so strongly as by his right honourable friend, for at least one-half of his arguments went to show, that the result of the change proposed by the honourable member for Middlesex, would not

be a reduction in the price of corn. But if the result of the change would not be to lower the price of corn, what would become of the arguments of Mr. Oliver, which were built altogether upon the supposition that there would be a great fall in the price of corn, which would throw a vast quantity of land out of cultivation? But what reason was there, he wished to know, for the supposition, that, under the operation of any such change, a great quantity of land must be thrown out of culture? What had been the fall in price for the last fifteen years? It amounted to 15*s.* or 20*s.* a quarter. Did any one suppose such a reduction would be caused by repealing the Corn-laws? He knew that it could not be the case; and he had no hesitation in avowing it, for he was not one of those who went about in public places promising cheap bread — nay, bread almost for nothing — if the corn-laws were repealed; on the contrary, whenever he had had occasion to address any large body of his countrymen, he had told them, that at the present prices, the abolition of those laws would cause little, if any, reduction; and that opinion he was then ready to repeat. He had always contended, that steadiness of price, not any considerable fall of price, would be the consequence of a judicious alteration: but greater cheapness would be the result, because there would be an increased and a more regular demand for labour; and the labouring classes would get more wages, and would be able to purchase more of the necessaries of life for the amount they received. What reason was there to apprehend a reduction of price? All the arguments which had been urged by his right honourable friend on this part of the question had been built upon the simple assumption of Mr. Oliver. Take away that assumption — let the assertions of his honourable friend receive as much credit as Mr. Oliver's, — and they would go to show, that the price of corn would not fall materially, and that no agricultural labourers would be thrown out of employment. That was the answer,

borrowed from his right honourable friend, which he gave to the argument his right honourable friend had borrowed from Mr. Oliver. Upon the subject of the general interest, it was true his right honourable friend had boasted of the discovery of some new machinery, some "vicious circle," as he had called it, by which, supposing the people of this country to have the power of purchasing their corn as they could get it cheapest, they were somehow or another to find themselves getting from bad to worse, and that at last in consequence of this odd hocus pocus, which he knew not how to describe, except as the "vicious circle" mentioned by his right honourable friend, they were to find themselves ruined and starved in consequence of a perfect plethora of good things. To this point, however, he would return. He would now pass to the point he had first alluded to — viz. what benefit the present Corn-laws conferred on the agricultural interest, on the landlords, the tenants, and the agricultural labourers. He did not wish to advance any further argument to prove the negative of the proposition, that the Corn-laws have been beneficial to the landed interest, than that contained in the book before him, the Agricultural Report itself, framed in the year 1833, after eighteen years' experience of the operation of the Corn-laws. This report told a tale — would to God it were any other! — a tale of ruin to the agricultural interest, which he, for one, most sincerely lamented, and would most anxiously (and he believed never more than by the vote he should give that night) seek to remedy. In that report, to which he wished to pay all possible respect, (though he was bound to say that he did not think it was absolute wisdom) he found a description of the declining interests of those engaged in agricultural pursuits. He found it stated, that the capital of the farmers had diminished since 1821. Now, the Committee of 1821 had previously declared, that prices did not give remunerating returns for capital; but it was hoped, that the savings which had been effected might enable the farmer

to go on, and eventually regain what at that time he was losing. In the report of last year he found a regret expressed, that these flattering hopes had not been fulfilled — that the capital of the farmer had been expended and lost — and that his condition now was infinitely inferior to what it was in 1821. Further, it was said, that the productiveness of the soil was diminished; but, in this last inference, he (Mr. Thomson) did not agree; he thought he could controvert it; but he would take it merely as the declaration of the Committee, which would stand in favour of his argument. The Committee of 1821 had declared their opinion, that the produce of the country was sufficient for its consumption, except, perhaps, on extraordinary occasions, and that it was therefore unwise to depend upon foreigners for the supply of corn. But twelve years had been sufficient to sweep away all the conclusions which the Committee of 1821 had come to, for the last Committee expressly said, that, in ordinary seasons, the produce of our own soil was not sufficient to render us independent of foreigners for a supply of corn. The law had sought to establish that independence; and, after eighteen years of suffering — eighteen years of decay — eighteen years of privations and vicissitudes — what was the result? Why, we had become dependent on foreigners, while, by our exclusions, we told them not to grow us a supply. The report of the Committee of 1833 gave a lamentable description of the condition of the small landed proprietors; it drew a picture of the distress of the smaller yeomen which needed not to be represented to the House, but which no man who felt an interest in his country's welfare could do otherwise than lament. To this, then, they were come, after eighteen years' experience of the operation of the Corn-laws, — of those laws which they were now again told were indispensable to the interest of the landlord and the tenant. Here was a report made by a Committee of the House, after mature deliberation, which declared this fact, — that our produce was diminished, that our yeomen

were suffering deeply, our farmers ruined, and that our boasted independence of foreigners in the supply of grain was at an end! Upon this representation, he would take his stand as an argument, if he had no other, against the existence of the Corn-laws. Eighteen years had elapsed since they were established; and it appeared, from evidence, that the state of the agricultural interest had been, during that time, retrograding from bad to worse — from comparative prosperity to absolute ruin. Try, then, he would say, another system, — try the system, which, as he would presently show, had been found to operate well for the landlord, for the tenant, and the labourer; and, at least, do not persevere in a course which experience showed had been attended only by increasing misery, and increasing wretchedness to the very interest which you were anxious to protect. Nor was the extent of the baneful influence of these laws discerned when their effect on the agriculture alone of the country was considered. What, let him ask, had been their effect on its commerce? He meant to consider the question of the restrictions on the importation of foreign corn as a general one, and to show how it had operated in depressing our manufactures and commerce. What were its effects in 1815, when, though peace was declared in Europe, the different states, harassed by a long war, were distracted in their internal arrangements, and when the United States were still engaged in war? What were its effects then, when, from one end of England to another, the powers of steam were developed, — when spinning-jennies and flax-frames were in active motion, — when, in short, all those different arts for which this country had been so much distinguished, and which we had then carried far towards perfection, were utterly unknown to the greater portion of the natives of both hemispheres? Above all, there were few restrictive laws in the different states, — none of those prohibitory tariffs which now encircled every frontier. We had then a field for our industry and enterprise. The advantage we had maintained in Europe was entirely owing to our success in manufactures, and that

might have been preserved. We were at least fifty years in advance in all that could render manufactures successful; but we neglected the opportunity; we failed to seize this advantage, and in lieu of it imposed the Corn-laws; and continuing in this course of policy, we obliged the other nations of Europe, in self-defence, to manufacture for themselves, — to turn their ingenuity and skill, rude as it was, to the cultivation of mechanical arts, in which we then alone excelled. — To turn their ingenuity and skill, did he say? To form those qualities newly, for previously they possessed none. We obliged them to enter into competition with us, to make those articles for themselves which we would not suffer them to purchase from us, because we refused to receive in exchange those commodities which they alone could give in exchange. Thus, by rapid steps, we forced them to be our rivals, when they would gladly have become our friends and dependents. He would pause for one moment, to observe on an expression which had been used in this debate by the honourable member for Middlesex, and which he did not think had been very correctly appreciated. The honourable member for Middlesex said, that he felt inclined to treat this question as a European question. Though he was disposed to assert, that it was a European question, inasmuch as it involved the prosperity of other nations, and their commercial relations with us, still he did not urge that view of the case. He was prepared, on the contrary, to consider the question as a British question alone, and did not wish to consider it in any other light. But let it be recollected, when British interests were talked of, what were the interests invested in, dependent upon, and living solely by, foreign trade. It was easy to say, that foreign trade should not be encouraged, and that British manufactures should be upheld; but the last was dependent on the first. British trade was a trade with foreigners. He would tell those who wished to check foreign trade that they were thirty or forty years too late. He would not go into any statement with regard

to population: he would not ask whether 960,000 families were dependent on the agriculture of Great Britain, or 1,400,000 on manufactures and commerce; for he did not wish to separate their interests, to support one interest at the expense of another; but he would ask, of what worth would the land of the country be, — where would be the market for its agricultural produce — without its manufactures? What was the relative position of the two classes? The cultivator of the soil readily found a market at home; he was not obliged to go to foreign climes to seek a market for his produce, nor was he compelled to regulate the cost of his commodities according to the price they obtained in other countries. He could get the very best price for them, which the competition at home, or the diminution of the means of the manufacturers and consumers enabled him to secure; and the legislature compelled the manufacturing and commercial classes, against whom a monopoly was created on behalf of the landowner, to give almost whatever price he might demand. Now, what, on the other hand, was the condition of the commercial and trading interests? Were honourable gentlemen aware that our exports varied from 34,000,000*l.* to 36,000,000*l.* annually, the produce of our manufactures and industry. But could the British manufacturer regulate his prices by the demand at home? Could he obtain the equivalent of his labour valued by the equivalent of labour at home? No; he was obliged to send his produce to distant climes, to contend with the natives of those countries who laboured for almost nothing a-day — to despatch them to find a market even in the interior of Africa, and in the most distant regions of the globe. Was it not, when the two interests were compared, a sufficient advantage on the side of the agriculturist? — was it not sufficient that, for all the produce of the soil which had to be sold to the consumer, the agriculturist had the priority of that market in which the manufacturing and commercial classes were the principal customers? Even if the restriction were taken off the importation of corn, the agriculturist

would have only to contend with the foreign grower, after he had been saddled with the different charges for freight, insurance, transfer-commission, and merchants' profit. Our manufacturers could not effect their sales under such advantageous terms, but had to submit to all the charges he had mentioned before they could produce their commodities in the market. There was, then, on the one hand, an almost unlimited market for the produce of agriculture close at hand, while the market for the manufacturer was at a distance, and his near agricultural neighbour had all the advantages of the expense it would cost the manufacturer to send his goods abroad. To his sales there was a bar in the expense of transport; to the sales of the farmer there were no such bars. There was, in the nature of circumstances, a great advantage in favour of the agriculturists; and why should they not be contented? But, with regard to the effect this restrictive system had upon industry generally, his right honourable friend had said, "How were your complaints warranted, when the fact was, that in spite of this restriction, the trade of the country had increased, and the export of manufactures had been increased with those countries whence corn comes, and you had not to complain of any loss of trade?" He entirely agreed with his right honourable friend's qualification, when he asked whether an augmentation of manufactures, and an increase of exports, could be considered inconsistent with a system of restriction on the importation of foreign corn. Who said it was so? But when the vast amount of raw material imported into this country was considered — when it was recollected, that Great Britain was in a manner the manufacturing workshop of the world — it would easily be seen that the question resolved itself into one of degree. His assumption was, that had it not been for the restrictive laws on corn immediately following the peace, British manufacturing industry would have taken a flight unequalled even in the days of Arkwright or of Watt, and supplied

without competition the whole of the world, instead of being, as now, scarcely able to compete with foreigners. It would be easy to refer to documents in proof of this assumption. His right honourable friend (Sir James Graham) had, in his observations, merely repeated the arguments made use of by a noble friend of his (Mr. Thomson's) in the other House of Parliament — arguments which he should be ashamed of himself, if he did not refute, because they were calculated to involve the question in mystery. His right honourable friend had said, that in order to show that our exports had gone on increasing to those countries from which we imported corn, he would read a statement of either the official or declared value of our exports, whichever the House pleased; neither were particularly called for, and his right honourable friend read a statement of the official value. He wished, instead of the official value, that he had given their declared value, because the question was not exactly one of the quantity, but of the value of exports. By the statement of his right honourable friend, it appeared, that some increase in exports had taken place between 1828 and 1832; but he had had the curiosity to ascertain what his right honourable friend had not stated, the declared value, not only during that period, but also during the years 1818, 1819, 1820, 1821, and 1822. During those years, there was some corn imported, but not near so much as in the period selected by his right honourable friend. This was the result of his inquiry. The total declared value of the exports from this country of British produce and manufactures only, during the years quoted by his right honourable friend, viz. from 1828 to 1832, was 82,425,000*l*; while in the five years he had referred to, viz. 1818 to 1822, the declared value of the exports was 92,312,000*l*., showing a diminution of 9,887,000*l*. It might be, however, objected to this argument, that it embraced a period in which the influence of alterations in the currency might have produced extraordinary results. But he would say, that putting the question of currency aside altogether, would any honourable member answer in the negative to this proposition, that under a freer system of trade, instead of a diminution, there would have been an immense increase in the declared value of the exports? He had stated, and he would repeat, that few men could really judge of the extent of mischief and injury which had been inflicted upon trade, first, by the imposition of the Corn-laws, and secondly by a continuance in them. While those laws remained unchanged, what did the House think we were to say to those countries, against whose commercial restrictions we were constantly protesting? What, if the United States of America passed an almost prohibitory tariff upon British manufactures, if Prussia attempted to establish a commercial supremacy over the whole of Germany, if Russia refused to open her ports to our manufactures, — what answer must we expect from those countries to our remonstrances? They would say, "Can you ask from us the adoption of a more liberal system while you close your ports against the only article we produce? Can you, with any show of justice, call upon us to revise a system which we have adopted in deference to your example, and which we hope to follow with equal success?" Were we, indeed, to preach up to those people the true doctrines of trade, and tell them, that restrictive duties were bad while we ourselves continued to enforce them? [*Hear!*] He accepted that cheer; it did not shake him in his view of the case; and if any thing could convince him of its soundness, it would be that which was alluded to last night, and which was received almost with a sneer — the present commercial state of France. The condition of France at the present moment exhibited a state of things which was an illustration of what he had always contended for, that, let the disposition of the Government be what it might, if one people exchanged with another the articles of their respective produce, — if it were their mutual interest to be each other's customers, — they would be found, as in

France now the vast proportion of the people were found, absolutely knocking at the doors of the Legislature, with a force not to be resisted, and demanding the acquiescence of the Government in measures of free commercial intercourse. This might, ere long, be the case in other countries, and might eventually happen in them all. The progress might be slow; it might be attended with difficulties; but perhaps it was not the less certain; nor would it be less wise in the Legislature not to oppose itself to that course. Why not, then, follow the plain and direct course, and get rid at once of those restrictions on trade, which were the only impediments to social intercourse? and why give an opponent a handle, by professing one thing and doing another? He would not trouble the House with reference to many papers on the subject; but he hoped, at the same time, he might be permitted to read one which touched on this very point. It was an extract from a paper published not many years ago; and from it would be seen the kind of spirit which had been excited upon the Continent against us, and how much we had lost by our obstinate perseverance in those laws of restriction. The paper was dated in the year 1829; and it came from Berlin. [Mr. *Baring:* Is it a newspaper?] No, a private communication; and if he were to mention from whom it came, it would receive the respect of the right honourable gentleman opposite. The right honourable gentleman then read a paper, which stated, "that the liberal part of the public press in Germany was calling clamorously upon their Governments to adopt means to break down the commercial ascendency or monopoly, as it was termed in these writings, of England; that the *Allgemeine Zeitung*, the paper which had the most extensive circulation and influence of any published within the confederacy, had taken the lead in these declamations, and was publishing a series of articles, in which it was expressly stated that the commercial advantages of England must be reduced, and her prohibition of importation be met with corresponding restrictions by the States of the Continent; that it would be found necessary to establish a second 'Continental system,' and to exclude British manufactures from the markets of Germany until the ports of England were opened for the agricultural produce of the Continent." The writer proceeded to say, "that he was aware the *Allgemeine Zeitung* was not to be considered the official organ of any of the German Governments; but that it spoke the language of a very powerful commercial party in Germany; and that when the proprietor of that paper was consulted by their majesties of Bavaria and Wirtemberg before any negotiations of commercial intercourse were commenced, it was impossible for these anti-English feelings not to find their way into the Councils of the States." He read this as a proof of the feeling which existed on the Continent on the subject of our restrictive system. He instanced this as evidence of the sentiments entertained. The honourable member for Essex (Mr. Baring) might rest assured that the paper just quoted came from the hand of no mean authority; and it was no trifling matter, for the prosperity of a large portion of the people of this country depended on it. He would now come to the question more immediately before the House, as to the mode of settling the question of the Corn-laws, by referring the point of a fixed or a fluctuating duty to the consideration of a Committee. He found, that all the arguments he had heard alleged against such a course resolved themselves almost entirely into one. The argument made use of by the Committee in their Report, the argument of his right honourable friend (Sir James Graham), that of the noble Earl the member for Shropshire (the Earl of Darlington) were all meant to show, that a fluctuating scale of duties produced a fixity of prices. He found that the noble Lord (the Earl of Darlington) had withdrawn the Amendment of which he had given notice, and which was to declare, that a fluctuating scale of duties was better than any other scale of duties that could be framed. He

(Mr. C. P. Thomson) was glad to find that the noble Lord had done so. He did not believe that the House would have been induced to assent to such a Resolution; but if it consented to such a Resolution, it would fairly be entitled to be put on a footing with that House of Commons that declared that a one-pound note and a shilling of a depreciated currency were equivalent to a guinea, which was selling at the time for 27*s.* or 28*s.* The noble Lord's Motion had been withdrawn; and he begged to recal the attention of the House to what the question before them really was. It must be considered to be this, and nothing else: was the present scale, as applied to corn, preferable to a fixed duty? He agreed with those who said, that the object of the honourable member for Middlesex was not to impose a precisely fixed duty, but the principle of his proposition rested upon that basis. It certainly was true,—and he wished to call attention to the fact,—that the honourable member for Middlesex did not desire, in affirming his Motion, to pledge the House to the imposition and continuance of any fixed duty. The exact terms of the Motion were these:—"That the House do resolve itself into a Committee of the whole House for the purpose of considering the Corn-laws, (9 George IV., cap. 60.), and of substituting, instead of the present graduated scale of duties, a fixed and moderate duty on the import, at all times, of foreign corn into the United Kingdom, and for granting a fixed and equivalent bounty on the export of corn from the United Kingdom." Now that, he would submit, was not to be considered by any means as binding the House to any particular amount of duty, to any rate or mode of imposing such duty, or to any scale according to which it might be increased or diminished; all these considerations were very properly left to the Committee; they were now only called upon to decide between a fixed and a fluctuating duty. Having thus far proceeded with the question, he should beg leave to ask honourable members, as well on the one side of the House as on the other, what constituted the main argument in support of the present system? It was founded upon this:—that the varying scale of duty produced fixity of prices. If there was any thing which could be said in an especial degree to form the great, and, as it was esteemed, the conclusive argument, in support of the system, it was this; yet he believed there was not a man living who, possessing an ordinary share of understanding, and applying his mind, free from prejudice, and with an earnest desire to ascertain the truth, who would not candidly declare, that the facts did not support any such conclusion. For his part, he found it impossible to avoid giving the flattest denial to the assertion, that the operation of that varying scale was to produce fixity of price. His right honourable friend, in arguing this point last night, had made a quotation from a letter of Mr. Huskisson's. He (Mr. C. P. Thomson) had cheered him, not for the reason that his right honourable friend then supposed, but on an entirely different ground. His right honourable friend quoted the opinion of Mr. Huskisson, with the view of showing that that distinguished statesman approved of the Corn-law of 1828, whereas the letter had reference to the Corn-law of 1827. He (Mr. C. P. Thomson) should have been much surprised if the late Mr. Huskisson had expressed himself in such terms of approbation of the Corn-law of 1828; and if he did so, he must have changed his opinion at a much later period. For the memory of Mr. Huskisson he entertained the profoundest respect: unconnected, as he was with him in politics, he (Mr. Huskisson) had been to him an object of admiration; but honoured as he had been, when a very young man in parliament, by his kindness and advice, he became one of esteem and attachment; and he (Mr. C. P. Thomson) should be most ungrateful, did he not speak of him with the highest respect, in terms of the sincerest regard. When looking to the sentiments expressed by that distinguished man, the circumstances under which they were delivered ought to be borne in

mind. Mr. Huskisson was, at that time, defending himself before his constituents, for not having gone the length of a total prohibition. On such an occasion, surely it was natural that he should use the most specious arguments that presented themselves. He did not mean to imply that he insincerely used them; but it was unfair to bind a man to certain opinions he had expressed, if he had subsequently honestly withdrawn them. He should, therefore, call the attention of the House to what were the later opinions of Mr. Huskisson, when he had arrived at maturity in his opinions, and at independence; and when he was no longer looking to the attainment of the same objects he had in view when he wrote that letter.

The Earl of *Darlington* asked if the right honourable gentleman meant to cast an imputation on the character of Mr. Huskisson?

Mr. *Poulett Thomson* said, he would be the last man in that House to throw the slightest imputation on the character of Mr. Huskisson; and he had no doubt whatever but that he entertained the opinions expressed in the letter at the time he wrote it. The opinions of Mr. Huskisson, which he should quote, were expressed on the 25th of March, 1830, two years after the Corn-law of 1828 had come into operation, and were as follow: — "It was his unalterable conviction, that they could not uphold the existing Corn-laws with the existing taxation, and increase the national prosperity, or preserve public contentment; that those laws might be repealed, without affecting the landed interest, while the people would be relieved from their distress, he never had any doubt whatever." Here, then, was the answer he should give to the declaration of Mr. Huskisson, quoted by his right honourable friend. It was the opinion of the same statesman, when it might be considered that his sentiments on the subject had been more matured. But what, after all, did the letter of Mr. Huskisson state? It found fault principally with the alterations that had been made in the policy of the country in

1765; and it declared, that, for a long time, the country had been pursuing a vicious course of policy. It stated, that a free trade in corn would be detrimental to all interests, by producing fluctuation, and rendering this country dependent upon foreigners for its supply. Now, how far Mr. Huskisson had changed his opinion on the subject, he (Mr. C. P. Thomson) had already shown. But he would bring against Mr. Huskisson another authority, who had answered him so completely, and had referred to so many facts, and had gone into such exact calculations, and had adduced such important arguments on the subject, that it would be unnecessary for him (Mr. C. P. Thomson) to do more than request the attention of the House whilst he referred to a few passages. They were from a work that he would recommend to the attention of every honourable Member in that House; and he was sure that his right honourable friend would not be inclined to undervalue it. The book he alluded to was entitled "*Free Trade in Corn the real Interest of the Landowner and the true Policy of the State;*" by a Cumberland Landowner. He (Mr. C. P. Thomson) was anxious to refer to that work, because he found his own opinions and sentiments expressed in much better language, and in a much more forcible manner, than he could put them. With respect to the alteration made in the year 1765, he found this passage: — "Since the year 1765, at which time a great alteration was made in our Corn-laws, the supply of British corn, cattle, &c., and of almost every other sort of merchandise, has increased most amazingly." Further on, he found the same writer proceeding to say, — "We have, then, the most conclusive evidence, founded on facts and experience, that neither an extraordinary increase in the supply of labour, nor of corn, has been followed by a fall of prices; on the contrary, they have been nearly doubled; and were more than doubled between the years 1780 and 1806, when the trade in foreign corn was most free, and our foreign commerce most prosperous." He (Mr. C. P. Thomson) could not

help saying, that he had been delighted to find, when he wanted an answer to Mr. Huskisson's letter, that he could refer to so able an authority as the writer of that book. When he had such weapons at hand, he did not want any other armoury to go to. He would read another extract from the pamphlet, in answer to Mr. Huskisson's remark, that a free trade in corn would be detrimental to all interests. "To propose to enrich a nation by forcing a permanent scarcity of corn, and by obstructing the natural course of trade, is, indeed, at variance with common sense. The consequences cannot be mistaken: — the embarrassment of our shipping, mercantile, and manufacturing interests, — want of employment, and desperate poverty among the labouring population, — an increase of crime, and a tendency to emigration, — a loss of our currency, and a fall of the prices of labour and of corn, — a diminution of the public revenue, and a derangement of the public finances, — and, more than all, the certain eventual ruin of the agricultural interest itself; — these are the bitter fruits of a blind and selfish policy, rapaciously grasping at undue gain, and losing hold of advantages placed within its power." In another place, this writer contrasted the state of Poland with that of England in these terms: — "When England, the land of marine affairs and of commerce, and the best workshop or manufactory in the world, attempted to sell corn in opposition to Poland, a country in want of these advantages, she perverted the natural order of trade; she sold that which it was most profitable for her to buy; and, destroying the means of her natural customers to buy what it was most profitable for her to sell, she artificially lowered the prices of every description of merchandise throughout the long period of sixty-four years. So much for the crusade against the natural order of commerce. No sooner, however, was a sound system of trade in corn adopted, and large importations made, than the medium price of middling corn again rose most rapidly. As a proof how remarkable the freedom of the

corn trade had a happy re-action on the general commerce and manufactures of the kingdom, Dr. Adam Smith has observed, — that 'the Yorkshire manufacture declined, and its produce did not rise to what it had been in 1755 till 1766.'" But the author of the pamphlet did not stop here: he was not satisfied with Dr. Adam Smith's observations, and he proceeded to say, — "So far Dr. Smith simply notices the fact, but he appears to have overlooked the cause. He points out the revival of our trade, and fixes the date of this amendment; but he has failed to recognise its precise coincidence with the change in our Corn-laws, and with the commencement of the free importation of foreign grain into this country. Till 1815 the corn trade was free, and commerce prospered. In that ill-fated year the prohibitory system became operative; and as in 1766 trade and manufactures revived precisely at the moment when the restrictions on the import of foreign corn were removed, so, in 1815, when these restrictions were again imposed, commerce languished, manufactures failed, and universal distress overspread the land." Before he laid down the pamphlet, which he then held in his hand, he should say, that it contained the most satisfactory answer both to the quotation from Mr. Huskisson's letter, and to the speech delivered last night by his right honourable friend. It might be matter of taste; but he confessed he should much rather take the opinions of the Cumberland Landlord than any thing that might proceed upon the subject, even from Mr. Huskisson himself. He would now proceed to the question of fluctuations. Now, how did that matter stand? He would ask, whether there had really been, as had been asserted by almost all the honourable gentlemen who had opposed the Motion, that there had been less fluctuation in the price of corn under the last Corn-bill than at any former period? ["*Hear!*"] To what period did the noble Lord who cheered refer? Were they, in imitation of the Report of the Agricultural Committee, to refer back only for a period of fifteen years?

What fair comparison could they possibly institute within that period? The noble Lord perhaps would say, that he (Mr. Thomson) ought to take years of peace. His right honourable friend (Sir J. Graham) was interrupted yesterday by an honourable gentleman, who said, that a comparison could not be made between years of war and peace. His answer was—that he would then take periods before and after 1827. That was no answer at all; for in the year 1827, in his opinion, though not in that of the honourable member for Essex, they had a worse Corn-law than at the present time. He thought, therefore, honourable gentlemen could not institute any comparison between the present time and any period in which the Corn-law of 1815 was in operation. Then to what period must they go back—to 1797? But that would carry them into the difficulty before referred to, for, with one slight exception, the whole period between 1790 and 1815 was a period of war. He would, therefore, go back to the period of peace, when the trade in corn was almost free. He was aware, that it was stated in the Report of the Agricultural Committee, that there were no accurate returns of the average prices of corn previous to the year 1790. There were, however, some returns of the price of corn, which would lead to tolerably correct conclusions. He confessed that he was surprised to see it stated, in the Agricultural Report, that there were no returns previous to 1790. Did the Committee look to the Act of 1770? Were they ignorant of it? He knew that under that Act the averages were not struck in so perfect a manner as they were then, or as they were even in 1815 or 1792. At the same time, however, under the Act he had just referred to, some important averages were made. By the Act of 1770, the average price of corn in the London market, should be published in the *Gazette* at fixed periods. He would take, therefore, the average price of corn for a number of years then, and compare it with the averages for a similar number of years from 1829. He found, that taking the five years from

1829, the highest average price of wheat for any year was 66*s.* 4*d.*, and the lowest average price was 52*s.* 10*d.*, that was to say, the average price of the year 1831 was 66*s.* 4*d.*, and the average of 1833 was 52*s.* 10*d.*; thus making a difference between the average of the highest year and the lowest year of 13*s.* 5*d.* He would now take from 1771 to 1775 inclusive,—the five first years under the operation of the Act of 1770. He found during that period the highest average price of corn for any one of those years was 52*s.* 8*d.*, and the lowest yearly average was 47*s.* 2*d.*; thus making the greatest difference only 5*s.* 6*d.* instead of 13*s.* 6*d.* He would then take the five years from 1781 to 1785, inclusive. He found that the highest average for any of those years was 52*s.* 8*d.*, and the lowest 44*s.* 4*d.*; thus showing the greatest difference to be 8*s.* 4*d.* Now, he begged the honourable members to recollect, that the greatest difference in the average of the five years under the Corn-law of 1828 was 13*s.* 6*d.* He would ask them, therefore, whether what he had just read was not sufficient to show that there was greater fluctuation in prices at present than there was formerly? Did it not show that the Corn-law that had been passed to prevent fluctuation had failed in its object? But he would not stop there. He was prepared to contend, that taking yearly averages did not furnish any thing like a correct criterion by which to judge of the extent of fluctuations in the course of a year. The price of corn at one period of a year might be 80*s.* a quarter, and at another 40*s.*; and yet the yearly average might make it appear 60*s.* Under such circumstances the country might labour under all the evils of the greatest fluctuation in prices, and yet it would not be apparent. He would, therefore, adopt a course which he thought would make the matter much clearer to the House. He would take a period since the passing of the last Corn Bill, and take the highest and lowest average prices, not for years, but for periods of six weeks. He would compare those averages with similar averages that had been made of the price

of corn between 1783 and 1791. He obtained the latter averages from returns printed in the *Gazette* of the price of corn in the port of London, and signed by the Lord Mayor. The returns undoubtedly were only the returns of prices of wheat in London; but that would rather tell against his argument than if he took the whole country, as it must be quite clear that, in a single market, the price was much more liable to fluctuation than when the sales of the whole kingdom were taken into account. He would take from 1783; and he found that the highest and lowest average prices of corn, as given by the Lord Mayor, and published in the *Gazette*, were as follows: —

	s.	d.		s.	d.		s.	d.
In 1784 the prices varied from	48	2	to	41	10	difference	6	4
In 1785 - - - -	37	5	to	34	6	difference	2	11
In 1786 - - - -	36	2	to	33	10	difference	2	4
In 1787 - - - -	44	10	to	36	1	difference	8	9
In 1788 - - - -	45	1	to	42	9	difference	2	4
In 1789 - - - -	54	11	to	47	0	difference	7	11

From that statement the House would see that the largest amount of difference was 8*s.* 9*d.*; the lowest 2*s.* 4*d.*; those had been the fluctuations under a system which had been referred to as greatly inferior in its working to that which had prevailed since the year 1828, when a measure was introduced, which professed so to regulate prices that they should always vary between 55*s.* and 65*s.* That was Mr. Canning's statement, and on his statement the bill was passed. Now, if prices were even kept within that range, he should deem it too extensive; but, how stood the fact, and what had been the operation of the bill?

	s.	d.		s.	d.		s.	d.
In 1828 the prices varied from	75	3	to	56	0	difference	19	3
In 1829 - - - -	75	3	to	56	3	difference	19	0
In 1830 - - - -	72	11	to	56	1	difference	16	10
In 1831 - - - -	73	5	to	60	5	difference	13	0
In 1832 - - - -	63	5	to	52	5	difference	11	0

Any honourable gentleman who took the trouble to examine the returns would see that the boasted effects of the

graduated scale, which was to limit the fluctuations within a range bounded by 55 and 65, had been to create an extent of fluctuation far greater than its projectors at all anticipated, and extended much beyond any amount of fluctuation which ought to exist under a sound and well-regulated system. He contended, also, that a fluctuating scale of duties was most injurious to the consumer, and was, above all, injurious to the party honourable gentlemen said they were anxious to protect. The fluctuating scale had proved most deceptive to the farmer. By means of that scale, immense importations of corn had taken place far beyond the power of the market to take off at once; and the consequence had been that the farmer had suffered most severely. Sometimes a low average had been obtained for the purpose of importation, by holding back the corn on hand, and running up the price, until the duty had been reduced to the *minimum;* then the reaction had taken place, and the fall been accelerated by the weight of what had been thus introduced into the market. He did not like to trouble the House by referring to papers, but there was one other which he felt called upon to direct attention to. He wished to allude to what took place in 1830. It would be in the recollection of many honourable members, that it was much feared that the harvest of 1830 would prove a very bad one; the greatest fears were expressed on the subject, and, above all, on the Corn Exchange. The price of corn rose rapidly in June and July, and the duty decreased to the extent of 2*s.*, 4*s.*, and 6*s.* a-week on the quarter, but still not a single quarter of corn was brought out of the bonded warehouses. The harvest came on, and was a moderate one; although it was not of the average quantity, it was of good quality. The farmer of course expected to obtain for the deficiency a higher price for his corn. Just previous to the harvest, however, the prices had risen to that extent that the duty fell to nothing, and the consequence was, that in the course of six weeks, namely, from the 5th of August to the 30th

of September, during which period it was thought that the harvest would be deficient, not less than 1,250,000 quarters of wheat were taken out of bond, and carried into the market. The consequence was, that prices fell to a ruinous extent, and the farmers could get nothing like a remunerating price for their corn. He begged the House to recollect that that was under a law framed for the protection of the farmer — under a law that was to give him complete prosperity. He asked whether it would not have been much better for the farmer if there had been a fixed duty? The farmer naturally calculated on getting something more than the average price for his produce, in proportion to the diminution of the crop; but he found, just as the harvest came in, instead of prices rising or continuing high, that in the course of six weeks, the price of wheat fell no less than 11*s.* 3*d.* per quarter, from 72*s.* 11*d.* to 61*s.* 8*d.* He contended, that a fixed duty of from 8*s.* to 10*s.* the quarter, under which foreign corn could at all times come into the markets of this country at a moderate price, would have prevented this occurrence and the consequent loss. He now begged to call the attention of the House to the effect of the fluctuating law upon our shipping. In order to reach a given market before the average changed, it was necessary to ship the corn without loss of time; and hence it followed, that the instant the ports of this country were thrown open for the admission of foreign corn, the vessels on the spot were used for the purpose. It therefore happened that by far the larger proportion of the foreign grain imported into our ports reached this country in foreign, and not in British, bottoms; but would this be the case if the present Corn-laws were not in being? Undoubtedly it would not, and consequently he was justified in saying that these laws operated most injuriously upon our shipping interest. One of the witnesses examined before the Committee on Trade of last year, Mr. Young, — a gentleman who did not take the same view that he (Mr. Thomson) did with regard to the shipping interest, and whose opinion he would, therefore, the more readily quote upon this particular point, gave the following evidence: Mr. Young was asked —

"Do you think that having a larger proportion of the carrying trade of corn would be beneficial to you?" — "Yes, it would; if there was a fixed duty upon corn, I have no doubt it would be beneficial to us, for, at the present time, if the ports are opened, orders go out to the foreign ports; the foreign ships are at home and get freighted; and, before the English ships can get out, the principal part of the orders are filled up, and the freights get lower; we are, therefore, disappointed when we get there."

"Do you consider that the alteration from a fluctuating to a fixed duty would be the means of giving additional employment to the British shipping?" — "Yes, it would."

Mr. Hedley, another witness whom he questioned on the subject, gave evidence to the same purport. Mr. Hedley was asked —

"Do you think the shipping interest would be benefited by an alteration of the Corn-laws?" — "I think, if there was a fixed duty, it would give very great increased employment to British shipping, instead of foreign, in the early part of the year. At the present moment, when any prospect of bad weather occurs during the harvest, or even in the spring of the year, the orders are sent out so quickly, that there is not time to send English vessels out, and the foreign vessels are taken up forthwith. Now, if there was a fixed duty, there would be none of that speculation, and we should have a supply of corn of a superior description; there would be a regular import instead of a fluctuating one. I think, if there were a fixed duty, British shipping would become the carriers of nearly all the corn."

"You have stated that you think the English shipping interest would be benefited materially by the change in the Corn-law you have mentioned; would not that depend upon the comparative expense at which foreign and British

ships could be navigated?" — "I think that British shipping could be navigated as cheap as foreign; and even if it could not, I should prefer British shipping in bringing corn; you have no dependence upon the foreigner bringing corn; he perhaps runs into foreign ports, and you have nothing but trouble and vexation with him; a great many of them have run into Norway, &c."

He came now to the effect produced by this fluctuating law on trade, and that was his principal objection to it. He had already stated, that he did not give in to the delusion, that if the Corn-laws were repealed or modified to the extent of the present proposition, corn would be much cheaper. He did not expect any such thing; but his opinion was, that the price of wheat, under such circumstances, would be much more equal. Now, it was apparent to common sense, that their object should be, if they were obliged to take large supplies of corn, such as they did at present, from foreign countries (and the report of the Agricultural Committee stated that we depended on foreign supplies in ordinary years) — their object, he repeated, should be to make the most of what they were obliged to take. Now, under the existing Corn-laws our trade in corn with foreign countries, owing to the fluctuations and the irregular demand, was looked upon by them as an absolute nuisance. When a rise in the price of corn took place here, the consequence was a sudden demand from this country for corn from foreign countries, so as to disturb their prices to an incredible extent. The demand came so suddenly, and was to such an extent, that the effect of it was to derange their system, and completely unsettle their markets. It appeared from an article that was recently given in a paper published by authority in Germany, that the demand from England for corn came generally so suddenly there, and so greatly disturbed all their internal operations, that it was considered by them rather as an injury than a benefit. But this was not all. Did our present trade in corn with foreign countries, large as it was, induce them them to take English goods in return? Did it tend to produce among them a taste for English manufactures? No such thing. There was no doubt that a trade, under an equal and fixed duty, and a constant communication, would produce such an effect. Could there be a doubt that such would be the case, considering that during the last five years we had imported an amount equal to 6,000,000 quarters of wheat from foreign countries? Could it be denied, that if such a trade were carried on upon equal and steady principles it would tend to diffuse a taste for, and to promote the consumption of, English manufactured goods on the Continent of Europe? But, as the existing law stood, foreign corn came to us at rare intervals, and at a high price. How much of that price which was eventually paid for foreign corn in this country went into the pockets of the producers of it? After the charges for warehousing, for interest of money, for insurance from fire, were deducted from the price which it fetched, it would be found that a very small proportion indeed of the total sum paid for it went into the pockets of the producers of the corn. Now, that was one of the main objections to the existing system of Corn-laws. With the present fluctuating duty, while we had to pay a high price for foreign corn, the revenue did not gain by the increased price. The producers of the corn were not gainers by it. In fact, a great proportion of that price was money actually lost. He would appeal to honourable members whether the interest that was necessarily charged for corn laid up in the warehouses of Dantzic for three or four years, and then deposited in the warehouses in London for two or three years, was not lost to those who had produced that corn, as completely and entirely as if it had been money thrown away? As he had said before, a great proportion of the various charges to which foreign corn was subjected, must be regarded as money thrown away. When he was connected with business, the calculation was, that kiln-dried wheat could not be kept for less than

8*s*. or 10*s*. a quarter annually. Therefore, there was a positive loss to that amount — replaced by nothing — conferring advantage on no one — which might be saved by an alteration of these laws. But then they were told, that if the present system were altered, they would depend too much on foreign countries for their supply of corn. Now, in reply to that argument, it was only necessary to refer to the Report of the Agricultural Committee, which showed that, at this moment, we were dependent on foreign countries for a very large supply of corn, and that supply too obtained under all the disadvantages incidental to the fluctuating duty at present in existence. Was it not reasonable to suppose that if that duty were a fixed and equal one, though that supply might be obtained much cheaper, it would be obtained on fairer and juster terms? The advocates of the present proposition had been taunted with the supposition of placing this country at the mercy of foreign countries for its supply of corn in time of war. He was surprised to hear his right honourable friend last night repeat that taunt, and quote Mr. Huskisson, to the effect, that Europe, under such circumstances, might shut her ports against us. What was the fact? — and fact was in this case a thousand times better than theory — why, that in the middle of the last war, when the greatest efforts that were ever resorted to were made to shut us out from the Continental markets, we actually imported a larger quantity of corn than we had ever imported at any previous period; no less in amount than 1,400,000 quarters were imported into this country at a time when we were at war, and when, according to the extract read by his right honourable friend from the pamphlet of Mr. Huskisson, this country would sink under the opposition of the Continent. His right honourable friend, the First Lord of the Admiralty, had shown last night, that the fluctuation at Rotterdam, under a system of free trade in corn, was still greater, within the last three years, than in Great Britain, where the trade was fettered by restrictions. But the

cause of the changes in Rotterdam might in a great measure be traced to our Corn-laws. That market, from its proximity and convenience, was immediately affected by our market, and being the theatre of speculation, prices were more affected there than even here. Then they had been told, that even if a fixed duty should be imposed upon the importation of corn, the prices would not be lower than they were at present. His right honourable friend, while the whole of his arguments went to show that the adoption of such a duty would be the ruin of the agriculturists, had also contended that, under such circumstances, the prices would not be lower than they now were. His right honourable friend showed that the average price of wheat in Volhynia and in Ireland was almost precisely the same. Was not that circumstance a sufficient answer to those who said, that if a fixed scale were adopted, the landlords would be ruined, and the farmers severely injured? If prices were the same in Volhynia and Ireland, the preference would be sure to be given to the corn from Ireland, because of the necessary charge of 10*s*. or 15*s*. per quarter on the transport of Polish corn. Now, for his part, he knew not how his right honourable friend could reconcile his statement, that prices would not fall in consequence of the adoption of a fixed rate of duty, with that ruin to the farmers and landlords which he had so confidently predicted as the inevitable result of such a measure. They had been told that the landowners were entitled to peculiar protection, as the land had peculiar burthens to bear. He was not the person to object to what was fair and right; and if it could be shown that the landowners were subjected to greater burthens than other classes, he would say, that they should be protected. He was well aware that the doctrine he was about to propound was one that was not calculated to render him popular; but he would not for that reason shrink from declaring his sincere opinion of what he conceived to be just. He agreed with his honourable friend, the member

for Middlesex, that as this law had only existed since 1815, the landowners had no legal claim on the country for compensation, but he thought they had an equitable claim. He would not dispute that the landowners had a claim to a certain degree of protection. He would give them compensation for it. Let them make out their bill of costs; and he for one would pay it with a great deal of pleasure. He would say, let the landowners be remunerated for any charges to which the land might be specially subject. His right honourable friend had referred to Mr. Ricardo, as being of that way of thinking. He knew that Mr. Ricardo was; but what did that gentleman say besides? He had calculated those charges, and had said, that a fixed duty of 10*s.* was nearly double the amount that was required to compensate the landed interest. His right honourable friend had quoted Mr. Ricardo as if he were with him, and against the imposition of a fixed duty; but he would find, that the authority of Mr. Ricardo was against him on that point. Mr. Ricardo proposed the adoption of a certain fixed duty, as being a full and sufficient compensation to the landowners. Let them adopt that plan, and do not let them throw away the various sums which he had shown were thrown away in the shape of different charges under the existing system. By the adoption of such a plan as that of a fixed duty, there was no doubt that the revenue would be a gainer; and, under such circumstances, he would not object to appropriate the amount of duty thus received towards affording that relief to the landowners to which they should prove themselves entitled. He feared that he had rather trespassed on the time and attention of the House; but he was sure that the great importance of the subject would be a sufficient excuse with the House for going so much into detail with regard to it. He had endeavoured to go through, and he hoped with some success, the arguments which had been urged on the other side of the question. The argument of time alone had been touched upon, and upon that he would

only observe, that if ever there was a time for making such a change as that now proposed, properly and beneficially, it was the present. They had heard it much dwelt upon, that the price of corn was now at 48*s.*, and that it could not fall much below that. He would answer for it, that any importation which could take place at the present moment, more especially when he looked at the state of the south-east of Europe, where corn was almost as dear as it was here, and where the Government was actually marching the population to the corn, because, to do so, cost less than it would to carry the corn to the population. He would answer for it that any quantity which could be sent in now would not disturb the existing price in England. As the only argument which had been adduced against a change was that arising from a fear of a fall in that price it was clear, that now was the time to effect a change. But there was another powerful argument for it: — They could legislate now with calmness, with deliberation, and with wisdom. Let them wait till the price of corn should rise — let them wait until one of those fluctuations should, under the dispensation of Providence, occur, through a failure of the harvest in this country, with a failure also of the harvest in France (a prior customer to us in the markets of the Continent) with those markets not abundantly stocked, hardly sufficient, in fact, to supply their own demands, — let them wait till that time should arrive; and then a change in the Corn-laws would be called for in much less respectful language than he should wish ever to see addressed to that House. They could now legislate, holding the balance equally poised between all the different interests connected with this great question. Let them but legislate wisely on this subject now, and they might secure that continental market for their manufactures which delay might deprive them of; let them but adopt this proposition now, and they might meet effectually that continental combination which was at that moment arising in different parts of Germany to shut out English manufactures from

their markets. Let them postpone what must eventually be done with regard to the Corn-laws, and that combination would have spread so widely, and become so deeply rooted, that it would be inaccessible to argument and impossible to be overturned. Above all things he would say to the House — "Act now." Let them act now, in order to answer that notion, which, in his opinion, arose from ignorance or mistaken ideas, namely — that, in the first place, very cheap bread would be the result of such a measure as that now proposed, and that, in the next place, the effect of the existing law was to deprive the people of food. That feeling, however mistaken it might be, existed, and they might depend upon it that it was diffusing itself generally throughout the country. Such an opinion could not be put down by argument; and the only effectual means of putting it down — the only effectual mode to convince the public of the fallacy of the notion, consisted in the House resolving to resort to a different system. He, for one, would submit cheerfully to the decision of that House, whatever it should be; but he would not answer that such would be the feeling out of doors. He was afraid that he could not doubt what that decision would be. They would, most probably, pronounce in favour of the existing system; they would, most probably, declare that that system was the right one; but he could not conclude without expressing his opinion, in the words of Lord Liverpool, that, in spite of any decision they might come to, a restriction on the food of the people could not endure.

APPENDIX VII.

SUBSTANCE OF A SPEECH DELIVERED BY THE RIGHT HON. C. POULETT THOMSON, ON MR. VILLIERS'S MOTION FOR GOING INTO A COMMITTEE OF THE WHOLE HOUSE ON THE CORN LAWS. 1839.

I SUPPOSE it is not likely that the present debate will terminate this night, but I rise for the purpose of addressing the House, because I shall not be able, I fear, to take another occasion of doing so on the present subject, in consequence of the indisposition under which I labour. I therefore must, however late in the evening, throw myself upon the indulgence of the House, but in return, I will endeavour to compress my observations, and the arguments I mean to bring forward upon the present occasion, into the smallest possible compass. It would, indeed, be extremely difficult now to say anything new upon a matter which has already been so much discussed, and which has been canvassed so frequently both in and out of this place. Before I proceed, however, I must say that I rejoice that this question is at last brought before the House, in the manner in which it has been introduced by my honourable friend; that it has been discussed on those grounds on which I think it ought alone to be discussed, with reference to the general interests of this country, and not of any particular class. I have never disguised my own opinion from those gentlemen, many of them friends of mine, who have, much to their credit, agitated this question — I have never disguised my opinion from them, that they rather injured their own cause, and the objects they seek to accomplish, by narrating the grounds on which they press their claims. I am not surprised that, feeling as they must naturally do, their own interests deeply involved, affected as they were in their own pursuits and their own business, they should

have so narrowed the grounds upon which they stood; but, for my part, I confess, I never wished to treat the subject in any other way than with reference, as I have before said, to the general interests of the country. I was glad to find that my honourable friend, the member for the North Riding of Yorkshire, had at first been inclined to meet the question, now under our consideration, in an equally fair manner. That honourable gentleman has, however, yielding to the advice of others, which no doubt he has reason for doing, flinched from the proposition which he himself announced — he has retreated from his own position, and now means to meet the motion with a negative, and not to press the resolutions of which he has given notice. I own I can understand very well why he does so with regard to the first resolution which stands on the Notice Book; I have thought that but very few supporters would probably be found for that resolution which my honourable friend originally meant to propose. It was too absurd to find friends! But with regard to his second resolution, although he withdrew it, I can see no reason why it should be withdrawn, unless my honourable friend is prepared to vote with me. I know no grounds on which it is possible to refuse to go into a committee of the House, unless we are prepared to agree to what my honourable friend had at first intended to say, namely — that the law as it at present stands is good, has worked well, has answered its purpose, and ought to be maintained. Now I am prepared to contend for the exact reverse of that proposition, to say that these laws are injurious to the general interests of the community, and it is for that reason, and with a view to change them, that I agree to the proposition of the honourable mover.

It has been stated, that it is the object of my honourable friend, the member for Wolverhampton, in making his present motion, to repeal totally and immediately the actually existing Corn-laws. Now I have heard nothing to that effect fall from my honourable friend. I know the

opinions which my honourable friend entertains, yet, when he goes into committee on the subject, it does not follow that the House will be bound to assent to them. If I was asked whether it would, in my opinion, be beneficial to this country to abolish the Corn-laws, my answer would be that it would. If I were asked whether it might not be better to have even a free trade in corn, I would reply in the affirmative also. But when I state this I am perfectly aware that there are considerable and weighty interests to be looked into which cannot be lightly treated; and that they should be all fairly considered and equitably dealt with, and time given gradually to effect a change. I am therefore taking a practical view of the subject, ready to go into a committee upon it, in the hope that we shall be able to introduce such a practical change in the existing system of laws as may prove really beneficial to all parties, and which will not injure any interests whatsoever. I therefore contend that those who are not inclined to support my view of the alteration requisite, and who yet do not go the whole length of maintaining that the law has worked well, and is the best which can be established, are nevertheless bound to go into committee, and there they will have full and ample opportunity of opposing or supporting the propositions which may be submitted to them. There they may propose their own schemes if they please. I would ask my noble friend (Lord Stanley) who cheers, if, according to the forms of this House, it is possible to introduce any change in these laws in any other manner than by going into committee? There, and there alone, we should be fully able to discuss the various expedients which may be deemed necessary in this instance, and there I shall be prepared to submit to them my own particular plans, to be adopted or not, as the House thinks fit. But having said thus much, I feel bound to assert now that there are parts of the speech of the honourable mover with which I am not prepared to agree, particularly with reference to what my honourable friend had stated, about the

price of corn. To these slight differences, however, it is not necessary particularly to allude.

The question has been put fairly, in this simple way, who is for, and who is against, the present system of Corn-laws unaltered, as they stand.

The first point then is, what is the present law? and here I agree certainly with the honourable member for the North Riding, who has made no real difference between the law of 1828 and that of 1815, or 1822. Whatever might have been the intention practically the effect has been the same. My own argument is, that the two laws are practically the same. The present law professes to afford a remedy for the fluctuating prices which had been found so injurious to the different interests in the country, and it accordingly proposed a fluctuating scale of duties, instead of the prohibition up to a certain price, and free admission afterwards, as fixed by the law of 1815, and the law of 1822. Its object was, to a certain degree, to place the corn trade something upon the same footing as the other branches of trade in the country, and to allow the importation of corn, not merely at the price where under the former law prohibition ceased, but at a price far below that point. Now, that result has not been obtained, for, although it professed to allow corn to come in at a lower rate, yet the result has not answered expectations, and, in this respect, matters stand nearly in the same position with respect to the import of foreign corn as under the old Corn-law. The corn of foreign countries is not brought into the market when the price is such as the present law contemplated. It is only when the price is such as would have permitted foreign corn to be sold under the old law that foreign corn is brought into the market. This is clearly proved by a document I hold in my hand. Since the law came into operation in July, 1828, up to the 31st of December, 1838, there have been 6,788,000 quarters of corn imported. Now, we have had frequently corn at very high prices in this country, and if the law had operated

according to what the framers of it at the time expected from a moderate duty (the price of 70*s.* being considered by the law of 1822 as the famine price), it would be supposed that a considerable quantity of corn would have come in at a lower price; whereas, of the 6,788,000 quarters of corn, 5,089,000 quarters came in paying a duty less than 6*s.* 8*d.*, the duty when the price was 71*s.*, the rate at which prohibition ceased under the old law having been 70*s.* So that under the present law 75 per cent. of all corn imported came in at a price above 70*s.*, and only 25 per cent. came in at a lower price. It stands to reason that it should be so, for it must be known by any one who watches the operations of the corn-market, that when corn begins to rise, all persons holding corn in bond do not bring out their corn, paying 16*s.* or 20*s.* duty; but what they do is this, they wait, and operate on the market, till at last the price rises to 73*s.*, and corn comes out at 1*s.* duty. Is this a benefit? But before I come to this point I turn — having stated the effect of the law — to the honourable members opposite, and ask what were the intention and views of the framers of it? What was the declared object of the committee of 1821? The great object to be secured was to obtain a steady price for corn; a price free from fluctuation. The admirable report, framed by the committee of which Sir Thomas Gooch was chairman, was written by Mr. Huskisson, and introduced under the auspices of the chairman — that admirable report, setting out with a statement, clear and convincing as to what the law should be, required above all things that prices should be steadied and fluctuations prevented; and I am astonished that in the corn bill of 1827, or the law of 1828, the recommendation of that report has not been followed up, and that the fluctuating scale has been introduced. I hold in my hand a document which will prove, beyond a possibility of doubt, that the object contemplated by the framers of the present law was the prevention of the fluctuation in the market and I shall take the liberty of reading that

document to the House. I hold in my hand an extract from the speech of the author of the bill of 1827; and what did Mr. Canning say in introducing that bill?

"It seems to me desirable, that if there is to be a trade in corn at all, it should be conducted as far as possible on the principle of other trades, in a sober regular course, and not by perpetual jerks and impulses, arising out of extraordinary emergencies. I am persuaded, that if importation be always free, taking sufficient security against an inundation of the home market, it will flow in a regular equable current, supplying the real wants of the country without overwhelming it; instead of rendering the trade, as now, under the principle of prohibition, a perpetual series of alterations between a drought and a deluge. I think this project will tend to equalise the prices, and keep that equalisation of prices steady. The market will, indeed, assume such a steadiness, that, instead of a fluctuation between 112*s.* at one time and 38*s.* at another, the vibrations will probably be found to be limited with the small circle of from about 55*s.* to about 65*s.* The plan will provide against the mischief arising from sudden gluts in the market at one time, and sudden dearths compelling us to legislate occasionally in contradiction to our general system of legislation at another." *

Now, what I ask is, whether these expectations have been fulfilled? Can any man, who has attended to the prices of corn in this country, pretend that such has been the result? I hold in my hand a statement of the highest and lowest prices of corn in each year, from 1828. In 1828, the highest price of wheat was 76*s.*, the lowest, 51*s.*: the difference, 49 per cent. In 1829, highest price 75*s.*, lowest 55*s.*; the difference, 37 per cent. In 1830, highest price 74*s.*, lowest 55*s.*; difference, 35 per cent. In 1831, highest price 75*s.*, lowest 59*s.*; the difference between the highest and lowest prices was 27 per cent. In 1832,

* Hansard's New Series, vol. xvi. p. 770.

highest price 63*s.*, lowest 51*s.*, 24 per cent. In 1833, highest price 56*s.*, lowest 49*s.*, 14 per cent. In 1834, highest price 49*s.*, lowest 40*s.*, 22 per cent. In 1835, highest price 44*s.*, lowest 36*s.*, 22 per cent. In 1836, the highest price was 60*s.*, the lowest 36*s.*; the difference 68 per cent. In 1837, highest price 60*s.*, lowest 51*s.*; difference 17 per cent. In 1838, highest price 78*s.* lowest 52*s.*; difference 49 per cent. Between 1836 and 1839, there was a difference of 116 per cent. between the highest and lowest prices. I ask whether the object, as explained in the passage I have read from Mr. Canning's speech, has been attained? I can show, by returns with which I will not now trouble the House, that under another state of the law, dissimilar to that which exists at present, the fluctuations during ten years were never half so much.

But my honourable friend has said that we must look to other considerations, with reference to other interests — tenants, labourers, and others. I am ready to examine the question upon that ground, and I am prepared to contend that, as the law stands, it is most injurious to all these interests. But, before I go on with this part of my argument, I call upon the gentlemen on the other side to say, why corn should have a duty different from all other articles. There are not fluctuating duties upon wine, or timber, upon silk or cotton; why then upon corn? On what principle is it that, after the system laid down by Mr. Canning has so signally failed, we continue to apply a different law to corn from that applied to other articles? For whose interest then I ask is all this done? for the tenant? who can deny that fluctuation of price must be most injurious to him? He can never tell what he ought to pay for his land, what return he ought to get for his capital. To the uncertainty which already exists in all farming operations, you superadd an additional amount of uncertainty, and you call that a good law for the tenant.

With regard to the landlord, instead of entering into an

argument to show how, on theory and on principle, the law must be injurious to him, I must be permitted to advert to a document, respecting which there can be no dispute, which will be a good test of what the agriculturist has experienced from the law. If the law be what it has been represented by its advocates, we have a right to expect that its effects on agriculture will be beneficial; but I find, from the records before me, that since 1828, there have been no less than five king's speeches in which reference was made to the depressed state of agriculture, and which called the earliest attention of parliament to the subject, with a view of devising relief. Upon the 4th of February, 1830, his late majesty, in his speech from the throne, said —

"His majesty laments that, notwithstanding this indication of active commerce, distress should prevail among the agricultural and manufacturing classes in some parts of the United Kingdom."

But that, however, was not considered strong enough, and an amendment was moved by the right honourable baronet opposite (the member for Kent), the tendency of which was, to describe the distress which prevailed in more forcible language. In 1831, upon the 6th of December, the king, in his speech from the throne, said—

"I deeply lament the distress which still prevails in many parts of my dominions; and for which the preservation of peace both at home and abroad will, under Divine Providence, afford the best and most efficacious remedy."

In 1833 there was no mention of the subject, but committees were appointed to inquire into the state of trade and agriculture. In 1834, the king's speech contained the following paragraph:—

"I have to lament the continuance of distress amongst the proprietors and occupiers of land."

In 1835, the speech from the throne said —

"I deeply lament that the agricultural interest continues in a state of great depression,"

In 1836, his majesty said —

"I lament that any class of my subjects should still suffer distress, and the difficulties which continue to be felt in many important branches of agriculture may deserve your inquiry, with a view of ascertaining whether there are any measures which parliament can advantageously adopt for the alleviation of this pressure."

There were five king's speeches, and a committee of the House in one year when the subject was not mentioned in a king's speech, within a few years, all indicating an increased or continued distress amongst the agricultural class: and after that we are told that the present system works well, and that the law requires no change! Really, I know not how posterity may read history, but I think it must seem hereafter that those gentlemen who so recently complained of their condition, and then boasted that the law under which they suffered was the best that could be enacted, must have committed some great mistake.

As to the labourer, I cannot understand how he can be otherwise than benefited by a change of the law. The only thing which he can bring to market is his labour, and the price which he obtains for it depends upon the ratio which the supply bears to the demand in the market. Whatever increases the demand for labour raises his wages —whatever diminishes it reduces them. I do not advert, of course, to what may be the case in some agricultural districts, where, owing to the difficulty of transporting labour, and the effect of the Poor Law, the labourer is reduced to the mere minimum of subsistence; but in a healthy state of society, and generally through this country, no one will deny that my position is correct. How does your Corn-law then operate upon him? By diminishing the means of employment it lowers the wages which he receives. By raising the price of food it makes those money wages of still less value to him. I may be told, indeed, that he would lose employment by so much British corn ceasing to be cultivated; but if so (which I do

not believe to be the case), a greater quantity of foreign would come in because it was cheaper, and it must be paid for by something, the produce of this country, which would absorb the labour thus displaced. If foreign corn were, therefore, admitted, it would be manifestly for his benefit. If corn became cheap the labourer's wages would be of more value, and the effect would be, to increase the demand for labour, whilst it decreased the price of the labourer's food. But above all, a greater equality of prices would ensue, which would have a tendency to benefit the labourer, inasmuch as he is always a sufferer from the fluctuation of prices. If any man, indeed, more than another, has an interest in the alteration of the Corn-laws, with a view to avoid fluctuations, it is the labourer. It is well known that the wages of labour do not rise or decrease as rapidly, and in the same proportion, as the price of provisions, and it is this fact which makes the present system inflict great injury on him. In 1835 and 1836, when the prices of corn were low, the wages of labourers in the agricultural districts, where there is often a supply greater in amount than the demand for labour, were decreased to match the price of corn; and when an increase, and a rapid increase, took place in the price of corn, there has not been a corresponding increase in the amount of the labourer's wages, so that he has merely the same amount of money to receive for his labour when the price of corn has been doubled; therefore I contend that no class of persons are more interested in the subject than the labouring class, nor is the condition of any class more influenced by the Corn-laws. My honourable friend said that one of the objects which would be achieved by a change in the law would be, to reduce the wages of labourers to 4*s.* per week, and in this resolution he included manufacturing as well as agricultural labourers—I utterly deny that! Now what are the demands of the labourers? They say they want employment—they want the means of getting a livelihood—they want to be placed in a position which will

enable them to earn their bread. That is one reason why I feel that a change is necessary, because I am convinced that if the Corn-laws were changed there would be an increase in the demand for workmen, and the rate of wages would be increased with the increased demand for their labour.

The next point to which my honourable friend (Mr. Cayley) adverted, was the effect a change in the present system would have upon the trade of the country. It is not my intention to follow my honourable friend through the minute calculations into which he has gone, with regard to the prices of cochineal, indigo, cotton twist, and other articles: for to attempt to compare the variations in the prices of commodities of that kind, which depend upon so many various and conflicting circumstances, with the price of the great necessary of life, seems to me to be quite beside the question. All the commodities to which my honourable friend has alluded are subject, in consequence of the moderate amount of supply, to speculation in the market to a great extent; they are subject to the chances of different markets in Europe far more than corn can possibly be. But my honourable friend has said—and here I venture to differ from him very considerably—my honourable friend has said, "Why, your home trade is the only trade you have got to look to, and I would not see the country sacrificed for the sake of a foreign trade." Now I must tell my honourable friend that it is a little too late to talk of this nation being independent of other countries; my honourable friend might have said such was the case one hundred, or at least seventy or eighty years ago; but the time is past, and now England has a large population dependent entirely upon her foreign trade. I do not say that the home trade is not beneficial to this country, but I cannot conceive how the home trade is to be lost, nor has any attempt been made to show that it would be; but now that millions and millions of the population of Great Britain are dependent upon the foreign trade, I beg to

ask honourable gentlemen who cheer me, whether it is not too much to talk lightly of that trade, which supports so large a proportion of the population of the country. Do honourable gentlemen know the amount of the exports from this country—do they know what the foreign trade is? Why the country scarcely imports anything but raw materials; it imports of them to the extent of between 25,000,000*l.* and 30,000,000*l.* for the purposes of home consumption or for manufactures to be sent away again. What I complain of in the existing Corn-laws is this, that this country has, by those laws, raised against it many of the other nations of the world, not because we do not take corn from them, but on account of the uncertainty which is thrown into the trade with them, in consequence of our system of duties, which, declaring that England shall never apply to foreigners, if she can possibly help it, has done every thing that is possible to shut the markets of Europe and America against the British manufactures, and have induced nations to adopt hostile policy in commercial matters, which would never have occurred but for these laws. Do I speak without book when I state this? An honourable gentleman behind me has moved for the production of whatever correspondence has taken place between the Government of this country, and those of other nations, on the subject of the Corn-laws, or for any propositions made, or notices given by foreign countries, willing to trade with this country, provided the present system of Corn-laws were done away with. Those documents I shall produce to my honourable friend and the House; but I must at the same time mention, that they are a class of communications which do not generally take place in an official form; they are more generally the result of private letters, and therefore the information contained in them is not so full as I could desire. But some time ago a gentleman, Mr. M'Gregor, was sent to Germany, to inquire into the condition of the German League, and I have with me letters I have received from him, bearing on the subject

now before the House, and which I will read. This is dated in 1836.

"I am perpetually told, that England must reduce her own tariff before she can reasonably expect Germany to do so."

And in reply to Mr. M'Gregor, the foreign minister for Wurtemberg thus expresses himself.

"I am opposed to anything like particular protections given to any branch of industry, being convinced that such protection is a general tax on the community.

"We have few articles besides coarse linens and natural produce, as corn, and cattle, and probably some of the wool, which we send by the Neckar and Rhine to Holland, that would find their way to your markets at reduced duties; but, settle the preliminaries of a commercial treaty with Prussia, and I presume there will not be much difficulty in Wurtemberg adhering to it."

I will read another extract in relation to our commerce with Prussia:—

"M. Kuchné, the Prussian Commissionary, is a gentleman of intelligent views, and seems fully to comprehend the importance of a commercial treaty with England, but argues our Corn-laws are the supreme obstacle. He is at the same time said to be the most skilful member of the Congress."

And again—

"Baron Smit, the Wurtemberg minister at the Bavarian Court, the projector of the *Germanic Union*, tells me, that he can discover no objection whatever in meeting the views of foreign states, to a reasonable extent, in reducing the high duties in the Germanic tariff, provided that such states will act with something like reciprocity towards Germany; but he also contends that the British tariff ranges much higher than the Germanic tariff as twenty to thirty per cent. compared to ten per cent., and on linens, and every article from Germany, as wood, corn, and some other natural produce much higher."

On the 14th July M. Kuchné said, —

"If any arrangement be entered into, you must begin at Berlin, and a reduction of your corn duties to a fixed rate must be preliminary to any understanding as to a reduction on our part of duties on your commodities.

"Without saying how such an arrangement could be effected, I alluded to the proposed reduction of the duty on timber, and such as would probably be made on some other articles, as linens, Nuremburg wares, mineral water, &c.; but he took his stand upon corn, saying the other reductions were but of little consequence."

Those extracts with which I have troubled the House will show how foreign trade has been affected by the Corn-law system, which has been said to work so well that no system can be better devised. So much with regard to their effect. But we have been told that some protection is necessary. I would not, if such were the opinion of the House, object to a fair protection; but what I object to is, the present mode of administering this protection, and I contend that it produces no advantage.

I do not object to that fair protection being given which may be demanded by those additional burthens which it is supposed the land pays. I wish for protection to that extent; but what we quarrel with is the mode in which the law gives the present protection, which I contend is of no advantage to this country, while it is a detriment to others. At the same time my honourable friend has made a most exaggerated statement of the amount of that protection, in consequence of what he has been pleased to call the burthens on land. He has estimated the value of capital engaged in land to be 690,000,000*l.*; but I confess I cannot follow my honourable friend's calculation, so as to be satisfied with the correctness of that statement. I am, however, willing to admit that there have been burthens which press exclusively upon land; many of them, however, have been redressed, and I should therefore like to examine into them in committee; and if the grievance be substantiated, then to give a fair protection. The burthen which has chiefly been alluded to is the poor rate.

Now the returns for the year 1833 showed the proportions of all burthens on land and other property; and of the poor-rate and high-way rate, land paid, it appeared, 65 per cent. and houses and other property paid 35 per cent. Now, taking the same proportion in 1838, the whole amount of poor-rate, highway-rate, and other imposts, was about 5,186,000*l.* of which land paid 3,275,000*l.*, and other property paid 1,911,000*l.* or again taking the poor-rate alone, it amounted last year to 4,123,000*l.*, of which land paid 2,604,000*l.* and houses and other property paid 1,519,000*l.* I state this to show that those burthens do not exclusively fall upon land, and that other property pays very considerably towards them; and must remark, that when a balance comes to be made out of the account on both sides, the probate and legacy duty of 2,284,000*l.*, which is paid exclusively by other interests, must be taken into account and set against the other charges.

It has also been said that the malt tax is a burthen on land. I regret that the right honourable baronet, the member for Tamworth, was not in his place to answer that assertion when it was made — answer it he could, for I have heard the right honourable baronet make a speech on the subject of the malt tax (and I have voted with the right honourable baronet in consequence of that speech, and the doctrines therein laid down), in which he established irresistibly that the malt tax was not a tax on land, but a tax paid by the consumer. Undoubtedly, by limiting consumption, it affects the distribution of crops, and is a grievance to that extent, but to that extent only.

Then I must ask, why it is that the House refuses to make any alteration in the existing Corn-laws. Is that refusal from a fear of lowering the price of corn? My own opinion is (and I do not state it now for the first time), that by a change the prices, on an average of years,

would not be much lower than at present; it is my firm belief, that wheat could not be imported to be laid in at 30*s.*, 32*s.*, or 33*s.* per quarter, as has been most erroneously asserted — that is, in my judgment, perfectly out of the question; if there were a regular demand for it, and the supply was steadily taken, it would be impossible, from any calculation that has been made, that wheat could be brought into this country under 40*s.* or 50*s.* per quarter. The House ought to remember, that this country has this circumstance to contend with, that the farther from rivers or the sea shore, or other means of communication, we go to procure our supplies, the greater will be the expense; and not only a greater expense according to common progression, but according to an infinitely increasing progression. In my travels I have known, in a province of Russia, for instance, wheat sell at 5*s.* per quarter, but such was the expense of carriage and the charges of transport, that it could not be carried to a neighbouring province at a less price than 20*s.* and 25*s.* It is not many years ago since, in that very country, which forms such a bugbear to honourable gentlemen opposite, I mean the south of Russia, when the crops failed it was found to be cheaper to send the population to the food in a distant province, than to transport the food to them! But if honourable members are so afraid of lowering the price, I must be permitted to ask them to go back, and see how little their fears on other subjects have been justified by the events which have ensued. I will, as an instance, take the article of Wool. Honourable members will remember the debates which took place, when a proposal was made to admit foreign wool into this country, and when it was declared by a noble friend of mine in another place, that the sheep farmers of this country would be utterly and entirely ruined, that it would be impossible for them to compete with those flocks which produced wool so cheaply abroad. Now, what was the result? Why, that the sheep farmer in this country now receives a higher

price for his wool than he did before the change took place.

This will appear from the following statement of the average prices of Leicester long wools from the years 1821 to 1838 inclusive, per tod of 28 lbs.: — Average price in 1821, 32*s.* 6*d.*; in 1822, 29*s.*; in 1823, 26*s.*; in 1824, 29*s.* in 1825, 40*s.* 6*d.*; in 1826, 28*s.*; in 1827, 26*s.*; in 1828, 24*s.*; in 1829, 21*s.* 6*d.*; in 1830, 21*s.* 6*d.*; in 1831, 30*s.*; in 1832, 30*s.* 6*d.*; in 1833, 38*s.* 6*d.*; in 1834, 46*s.*; in 1835, 39*s.*; in 1836, 41*s.*; in 1837, 37*s.*; and in 1838, 38*s.* The high range of prices for the last six years is to be ascribed to the increasing export. Although the trade was thrown open in 1826, it was some time before the export was sufficiently great to affect prices. It was the speculation induced by the over-issue of paper in 1825, previous to the panic, which occasioned the high prices of 1825. If the export of wool were prohibited, as formerly, it is the opinion of well-informed persons, that the price of Leicester long wool would not exceed 25*s.* per tod; the free trade in wool has, consequently, given the agricultural interest a clear advantage of 15*s.* per tod for the last six years, on the whole of the long wool growth of the kingdom, which is estimated at 300,000 packs of eight tods each, or equivalent to 1½ million sterling. And this great advantage was literally forced on the agricultural interest, who anticipated from free trade in wool, the absolute ruin of the wool grower. This, then, was the result of their apprehensions — this was the effect of throwing open the trade in wool.

But I now come to the last argument which has been urged by my honourable friend, viz. — the dependence of this country upon foreigners, in case a change were made in the present Corn-laws. I must repeat, that it is now too late to urge that argument, for, according to the report of the committee of 1834, this country is even now dependent upon foreigners in this respect; and the question really is, in what a state does this country stand now,

under the present condition of the law with respect to this point? Why, this country has found that foreigners were inclined to shut their ports to prevent the export of corn, because Great Britain is not a steady regular customer — that foreigners find they can carry on no beneficial trade with her, and that her demand is inconvenient instead of advantageous to them. This is one of my main arguments for wishing to change the present law. I contend that foreigners may be made as much dependent on England for the sale of their corn as England is now dependent on them for the supply of that commodity. I contend, that if a regular, fixed, and steady trade were established with them, they would be no more able to prevent their corn from coming to the British market, than the Americans are able to prevent their cotton. Is not this country dependent now upon America for cotton? It is true cotton is not a necessary of life, but still there are 1,500,000 people in this country dependent for their bread upon the cotton trade. I again repeat, that if there is not that mutual interest raised which will make each country dependent on the other, then there will be as much danger from the situation of a population, engaged in all the great articles of foreign produce brought here for manufacture, as ever there could be from being dependent on foreign nations for a supply of corn. But the fact is, that at present, foreigners look on the demand made on them by this country for corn rather as a nuisance than otherwise; occurring only at seasons when corn is scarce, it deranges the whole of their markets by its irregularity. Corn may be grown by them in expectation of some demand from here; it may be sent to the ports, where it sometimes lies for years, at heavy charges for warehouse rent, and loss of interest on the capital locked up all the time, until a sudden demand comes, and it is taken perhaps at a loss to the grower, the additional price being merely for those charges of rent and interest on capital. But what does the English purchaser pay? Why, because he wants the

corn in a time of necessity, he must pay those additional charges, and the extra price is thus just as much thrown away, as if so much of the corn were thrown into the sea from the ships which transport it to this country. On the other hand, foreign countries themselves suffer from the sudden rise of prices. All their relations are disturbed, the price of corn, perhaps low, is suddenly converted into a high price, and their own population suffer from the effects of the demand from this country. How different, however, would be the position of both, if a regular steady trade were established!

I will not trouble the House farther; I have, imperfectly I fear, but as well as I am able, expressed my opinion with regard to the existing Corn-laws. I have contended, that the law in its present state, is injurious to the landlord, inasmuch as it produces uncertainty to him — I have contended it is injurious to the tenant, inasmuch as he never knows what he is about under the great fluctuations in prices — it is injurious to the labourer, because it deprives him of the employment he would otherwise have — and it is injurious to the manufacturer, because it fetters his industry and promotes foreign competition. This is my view of the case! It is upon these grounds that I recommend the House to accede to the motion of my honourable friend. I will not attempt to use further argument; but I will venture, in conclusion, to address you in the words of one, my right honourable friend, the member for Pembroke (Sir J. Graham), and I beg particularly to address them to those who, acting under a fear of those prices, pretend to seek protection for our corn. His words are these:

"The public opinion must be hostile to the present Corn-law. The receivers of rent are a very small body. Backed by public opinion, they are almost omnipotent — in violation of public opinion, they cannot long retain an exclusive advantage. The contest is fearful, for on what ground will it be decided? On the very topic which

inflames to madness, that hunger, which breaks through walls, will be arrayed against them. The barriers of society will be broken down, and estates, distinctions, honours, swept away in one resistless torrent. Let those who seek high prices at all risks, remember the words of Tacitus:

'Vulgus ad magnitudinem beneficiorum aderat, stultissimus quisque pecuniis mercabatur; apud sapientes cassa habebantur, quæ neque dari neque accipi salvâ republicâ poterant.'"

In conclusion, I would say, that I only ask the House to go with me into Committee, and I shall then establish my case. I ask you to let me propose, in that Committee, the alteration I think beneficial; and I implore the House not heedlessly to reject a motion on which, I believe in my conscience, depend the welfare and the stability of the material interests of this country."

THE END.

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